

5/20

12

Christine Joyce

From: Roland Bartl
Sent: Thursday, May 16, 2013 10:54 AM
To: Steve Ledoux
Cc: Planning Department; Manager Department; Lili Early
Subject: WAVE - Special Permit Amendment
Attachments: 426, 427, 307 amend (WAVE) decision amendment #1.pdf

Hi, Steve:

Attached please find a draft decision pertaining to the requested special permit amendments for the WAVE project in West Acton (Rosenfeld). Please include this matter on the agenda for the May 20, 2013 Board of Selectmen's meeting. This message constitutes my comment letter.

Under separate cover for inclusion in the Selectmen's meeting package you have previously received the applicants request for the permit amendment, plans and tables that accompany the request, brief comments from other relevant departments, a copy of the applicable HDC certificate and of the original Selectmen's March 2010 special permit decision.

Since the issuance of the original special permit decision in 2010, the applicant has completed phase 1 of the project, while Phase 2 underwent further extensive reviews and public hearings by the Acton Historic District Commission. As a result Phase 2 changed slightly, particularly affecting the building the design. The requested special permit decision amendment now before the Board seeks to bring the special permit, and the plan approved under it, into alignment with the plan and project approved by the HDC in its Certificate of Appropriateness (0906AA) issued earlier this year.

Given this background for the plan changes and the requested special permit amendment, this matter is merely administrative at this time. I do not believe that a further public hearing is warranted or appropriate and I recommend that it can be handled under the Selectmen's meeting consent calendar.

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

Christine Joyce

From: Roland Bartl
Sent: Wednesday, May 15, 2013 4:12 PM
To: Manager Department
Cc: Planning Department; Lili Early
Subject: WAVE special permit amendment
Attachments: FW: Electronic Copies for WAVE BoS Submission; img-515160530-0001.pdf; img-515160508-0001.pdf; 3320A Rev SP Eng.pdf; Fwd: WAVE; Re: Electronic Copies for WAVE BoS Submission; RE: Electronic Copies for WAVE BoS Submission; 426, 427, 307 amend (WAVE) decision.PDF

Hi, Lili:

With the attached e-mail I am resending Rosenfeld's request for special permit amendment for inclusion in the May 20 agenda of the Board of Selectmen's meeting. Please make sure to post in docushare the attachments that are attached to the attached e-mail – these are most of the application submission documents.

Two separate documents (img + numbered pdf files) are also attached for inclusion in the meeting package (building height plan and letter to me from M. Rosenfeld).

Also attached are various departmental and other correspondences regarding this matter, and the original special permit decision from 2010 – all for inclusion in the meeting package.

Finally, please include in the package the docushare link(s) to the 2010 hearing proceeding and materials.

In a separate e-mail later today or tomorrow morning, you will receive my package cover memo and a draft amendment decision for Board of Selectmen action.

I recommend this matter for the consent calendar. Janet Adachi is aware of it.

Thank you

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

West Acton Village Ecology (WAVE)
Use Special Permits, Site Plan Special Permit & Site Plan Special Permit Amendment
525-545 Massachusetts Avenue & 3-7 Spruce Street
Amendment, May 20, 2013



Board of Selectmen

TOWN OF ACTON

472 Main Street
Acton, Massachusetts 01720
Telephone (978) 929-6611
Fax (978) 929-6350
bos@acton-ma.gov
www.acton-ma.gov

FIRST AMENDMENT OF DECISION

#01/19/10-426 – Use Special Permits
#01/19/10-427 – Site Plan Special Permit
#02/01/89-307 – Site Plan Special Permit (Amendment)

West Acton Village Ecology (WAVE)

May 20, 2013

GRANTED

Decision of the Acton Board of Selectmen (hereinafter the Board) on the request of 531 Mass Ave LLC (Rosenfeld), dated April 19, 2013 for an amendment of various Use Special Permits, one Site Plan Special Permit, and one Site Plan Special Permit Amendment granted with conditions and issued in a decision dated March 22, 2010 (the Original Decision).

The Board considered the request at public meeting on May 20, 2013. Board members Janet Adachi (Chair), David Clough, Mike Gowing (Vice Chair), Katie Green (Clerk), and John Sonner and were present. The Board approved this amendment at its meeting on May 20, 2013. The minutes of the meeting and submissions upon which this Amendment Decision is based on may be found in the Town Clerk's office or the Board's office at the Acton Town Hall.

Decision Amendment (#1) #01/19/10-426 – Use Special Permits
WAVE #01/19/10-427 – Site Plan Special Permit
May 20, 2013 #02/01/89-307 – Site Plan Special Permit (Amendment)

Page 1 of 4

1 EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

- 1.1 A plan entitled "Site Plan for West Acton Village Ecology, 525-541 Massachusetts Avenue, 3-7 Spruce Street, Acton, Massachusetts", dated July 31, 2009 and last revised on April 19, 2013, drawn by Stamski and McNary, Inc. of 80 Harris Street, Acton, MA, consisting of 8 sheets.
- 1.2 A plan entitled "Site Plan / West Acton Village Ecology (WAVE II)", by omr Architects, Inc. dated April 17, 2013.
- 1.3 Three sheets of floor plans (A1 – A-3) with net square footage for WAVE Phase 2 by omr Architects, Inc. dated April 17, 2013
- 1.4 Five sheets of elevation plans (south, west, east, courtyard (2 sheets)) for 525 Mass Ave / West Acton Village Ecology (WAVE II) by omr Architects, Inc. dated April 17, 2013.
- 1.5 A plan entitled "Building Height", undated, showing south elevation plan with additional information pertaining to building height.
- 1.6 A letter to the Board from Mathias Rosenfeld, dated April 19, 2013 summarizing the requested amendment.
- 1.7 A parking table entitled 537-525 Mass Ave Parking Summary.
- 1.8 A Floor Area Ratio table entitled "merged lot FAR".
- 1.9 A copy of the Acton Historic District Commission's applicable Certificate of Appropriateness (Certificate 0906AA), dated both February 4, 2013 and March 12, 2013, and recorded with the Town Clerk on March 12, 2013.
- 1.10 Interdepartmental and other communication:
 - A letter from Mathias Rosenfeld to the Planning Director, dated 4/19/13 with further clarifications.
 - A letter from George Dimakarakos, Stamski and McNary, Inc. to the Town Engineer, dated 04/19/13.
 - E-mail memo from Corey York (Town Engineer) to George Dimakarakos, dated 04/19/13.
 - E-mail memo from Tom Tidman (Natural Resources Director) to Roland Bartl (Planning Director), dated 05/14/13.
 - E-mail memo from Doug Halley (Health Director) to Roland Bartl (Planning Director), dated 05/8/13.
- 1.11 The Original Decision of March 22, 2010.

Exhibits 1.1 through 1.9 are referred to herein as the Plan.

2 FINDINGS AND CONCLUSIONS

Based upon its review of the exhibits and the record of the proceedings the Board finds and concludes that:

- 2.1 The amendment request is precipitated by a building design change resulting from further review, extensive public hearing proceedings, and the issuance of a new or revised Certificate of Appropriateness by the Acton Historic District Commission.
- 2.2 Among other minor changes –
- a. The building has shrunk a little in overall size and height while the original net floor area remains the same.
 - b. The building footprint has changed slightly.
 - c. The crosswalk over Mass. Ave. has shifted slightly to the east with commensurate adjustments to the on-street parking spaces.
 - d. Impervious cover has slightly increased within the capacity of the original stormwater management system.
- 2.3 541 Mass. Ave. (tax map parcel 113) will not be merged with the other parcels (103, 104, 105, and 114) into one lot. However, all five parcels must remain in joint ownership for zoning compliance purposes.
- 2.4 The Original Decision granted various use special permits, among them a special permit for one or more restaurants with a total of 95 seats. The Applicant now requests 134 seats.
- 2.5 As proposed, the on-site parking arrangement remains in compliance with zoning, and the Health Department indicates continued compliance with septic disposal regulations.
- 2.6 At the time of this Decision Amendment, the Applicant has completed Phase 1 of the WAVE project. The requested changes largely affect Phase 2.
- 2.7 The Original Decision required that the Applicant pursue a transfer of jurisdiction of a portion of Mass. Ave. at the WAVE project site from MassDOT to the Town. This transfer has been accomplished.
- 2.8 The proposed Plan changes in the requested amendments of the special permits granted in the Original Decision are insignificant and do not warrant a public hearing, especially in light of the extensive public hearing review by the Historic District Commission that resulted in the changes that are now before the Board. Therefore, this amendment merely aligns these special permits and the Plan approved hereunder with the approval by the Historic District Commission.

3 BOARD ACTION

Therefore, the Board voted on May 20, 2013 in favor of GRANTING the special permit amendments as the Applicant had requested and as delineated in the Exhibits listed herein.

3.1 Restaurant Seating

This Decision Amendment specifically expands the Restaurant Use Special Permit of the Original Decision to a total new maximum of 134 seats which may be distributed, and from time to time re-distributed, among various establishments on the Site.

4 EFFECT AND SCOPE OF THIS AMENDMENT DECISION

This Amendment Decision only responds and decides on the limited matters before the Board as outlined herein. Except as herein specified, the Original Decision shall remain in full force and effect.

The Town of Acton Board of Selectmen

Janet K. Adachi, Chair

Copies furnished:

Applicant -	Building Commissioner	Health Director
certified mail #	Town Engineer	Municipal Properties Director
Town Clerk	Natural Resources Director	Town Manager
Fire Chief	Police Chief	Acton Water District
Owner	Historical Commission	Assistant Assessor
Historic District Commission		

p:\roland open files\site plan\426, 427, 307 amend (wave) decision amendment #1.docx

Lili Early

From: Roland Bartl
Sent: Wednesday, May 15, 2013 4:12 PM
To: Manager Department
Cc: Planning Department; Lili Early
Subject: WAVE special permit amendment
Attachments: FW: Electronic Copies for WAVE BoS Submission; img-515160530-0001.pdf; img-515160508-0001.pdf; 3320A Rev SP Eng.pdf; Fwd: WAVE; Re: Electronic Copies for WAVE BoS Submission; RE: Electronic Copies for WAVE BoS Submission; 426, 427, 307 amend (WAVE) decision.PDF

Hi, Lili:

With the attached e-mail I am resending Rosenfeld's request for special permit amendment for inclusion in the May 20 agenda of the Board of Selectmen's meeting. Please make sure to post in docushare the attachments that are attached to the attached e-mail – these are most of the application submission documents.

Two separate documents (img + numbered pdf files) are also attached for inclusion in the meeting package (building height plan and letter to me from M. Rosenfeld).

Also attached are various departmental and other correspondences regarding this matter, and the original special permit decision from 2010 – all for inclusion in the meeting package.

Finally, please include in the package the docushare link(s) to the 2010 hearing proceeding and materials.

In a separate e-mail later today or tomorrow morning, you will receive my package cover memo and a draft amendment decision for Board of Selectmen action.

I recommend this matter for the consent calendar. Janet Adachi is aware of it.

Thank you

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

Lili Early

From: Roland Bartl
Sent: Tuesday, May 07, 2013 5:15 PM
To: Doug Halley; Corey York
Cc: Health Department; Engineering Department; Tom Tidman; Planning Department; 'Mathias Rosenfeld'; Christine Joyce; Manager Department
Subject: FW: Electronic Copies for WAVE BoS Submission
Attachments: BOS Submission.pdf; ATT00001..htm; 3320A-WAV-J-SP.pdf; ATT00002..htm

Hi, Doug & Corey:

Attached is a formal request for a site plan amendment for the WAVE project in West Acton. Matthias Rosenfeld writes in his cover letter, that George Dimakarakos contacted each of you separately for discussion and input on the matter. I assume you have received George's communication. From my perspective the proposed changes are small enough to be considered without a new public hearing and can quite reasonably be placed on the Board of Selectmen's consent calendar. I would like to get this scheduled at a Board of Selectmen's meeting before the end of the month of May if at all possible. Please be so kind and provide me with any relevant comments from your office no later than **May 16**.

Tom: I do not see any changes to the project relative to wetlands impact or ConCom jurisdiction. But, you are the one to make that call, not me. Therefore, I have cc'd you on this correspondence just in case.

Christine: I am not aware of a set BoS meeting schedule, as yet. However, please add this to the Board of Selectmen's meeting agenda as a consent item at a meeting after 5/16 and before the end of May. Let me know when – date and time. You can use the attached electronic submission to begin creating a meeting file for this in docushare. Selected departmental comments will be forthcoming.

Thank you all -

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

From: Mathias Rosenfeld [<mailto:mathias@newhabitatpartners.com>]
Sent: Monday, May 06, 2013 12:25 PM
To: Roland Bartl
Subject: Electronic Copies for WAVE BoS Submission

Hi Roland:

Here is the electronic copy of the submission as requested. The first document contains the floor plans and tables. The second document has George's civil plans. My understanding is that he has reviewed them with Doug and Corey. Let me know if you need anything else.

Thanks,

Mathias

April 19, 2013

Dear Members of the Board of Selectmen:

Attached are the most recent updates for Phase II of our project on Massachusetts Avenue in West Acton Village. We recently received a COA from the HDC for this second phase of work to be constructed at 525 Mass Ave under the approved site plan. The COA process involved an additional year of regular HDC meetings, and a public hearing that spanned several hearing dates and remained open for two months for public comment and input. These hearings resulted in architecture that has been modified to the satisfaction of the HDC. However, the site plan, its intent, and its uses were not substantively altered from the original plans approved by the BOS.

Minor modifications include:

- 1) The new building is now smaller and includes expanded courtyard spaces. The crosswalk to the playground has been slightly shifted to align with these courtyards and provide better access to the HC parking spaces across the street.
- 2) The parking tabulations are updated and attached to demonstrate continued conformance with the Zoning By-law.
- 3) The site accommodates 134 restaurant seats to be assigned to tenants as necessary across all buildings and as septic for each building allows.

Our most recent plans, parking tabulations, and the Certificate of Appropriateness from the HDC are included in this submission package.

We have been working very hard to push this project forward and are looking forward to continuing these efforts through the next phase of work.

Thank You,

Mathias Rosenfeld

537-525 Mass Ave Parking Summary

Weekday Peak Parking (930am-5pm)

Use	NSF Seats	Max. Zoning Requirement*	Required Parking	Provided off-street Parking
Daycare	17 Stu + 2 Tch	1 / 10 Stu + 1 / Teacher x .5	1.9	2
Restaurant(1)	134	Restaurant - 1 / 3 seats x .5	22.3	23
Retail	9521	Retail** - 3 / 1000nsf x .5	14.3	14
Office	15164	Office - 1 / 250nsf x .5	30.3	30
Cultural Space	25	1 / 4 Seats * .5	3.1	3
Totals			71.9	72

*Most intensive parking use selected for conservative calculations to represent maximum parking potential.

Based on requirements for village collective parking (Sec. 6.9.4.4).

**Per 6.3.1.7 - Center w/ two or more retail stores

(1) Seating to be applied as necessary to 541-525 Mass Ave

Weekday Off-Hours Parking (7am-930am / 5pm-10pm)

Use	NSF Seats	Max. Zoning Requirement*	Required Parking	Provided off-street Parking
Daycare	17 Stu + 2 Tch	1 / 10 Stu + 1 / Teacher x .5	1.9	2
Restaurant	134	Restaurant - 1 / 3 seats x .5	22.3	23
Retail (2)	7141	Retail - 3 / 1000nsf x .5	10.7	11
Office (2)	11373	Office - 1 / 250nsf x .5	22.7	23
Cultural Space	60	1 / 4 Seats x .5	7.5	13
Totals			65.1	72

(2) Office+Retail Conservatively Assumed at 75% open

Weekend Parking (All Hours)

Use	NSF Seats	Max. Zoning Requirement*	Required Parking	Provided off-street Parking
Daycare	17 Stu + 2 Tch	1 / 10 Stu + 1 / Teacher x .5	1.9	2
Restaurant	134	Restaurant - 1 / 3 seats x .5	22.3	23
Retail	9521	Retail - 3 / 1000nsf x .5	14.3	15
Office(3)	5055	Office - 1 / 250nsf x .5	10.1	10
Cultural Space	175	1 / 4 Seats x .5	21.9	22
Totals			70.4	72

(3) Offices conservatively assumed at 33% open.

Merged Lot FAR (537-525 Mass Ave)

Use	NSF
537 Mass Ave (Existing)	3963
531-525 Mass Ave	26694
TOTAL NSF	30657
TOTAL DSA	76809
TOTAL FAR	0.399
ALLOWABLE FAR	0.400

TOWN OF ACTON
HISTORIC DISTRICT COMMISSION
472 Main Street, Acton, MA 01720

RECEIVED
MAR 12 2013

CERTIFICATE 0906AA

TOWN CLERK, ACTON

February 4, 2013

Applicant (or owner) 525 Mass Ave LLC, 531 Mass Ave LLC and WAVE Associates LLC

Telephone 978-263-0160 (617-765-4493 Mathias Rosenfeld)

Address 537 Massachusetts Avenue

Email mathias@newhabitatpartners.com

Location of Work 525-531 Massachusetts Ave. District: Center West X South

Description of Proposed work:

Certificate 0906A was granted on June 26, 2009 for the development of parcel F2A-103 and F2A-104 (525-531) Massachusetts Avenue in West Acton. The design of the project, known as the second phase of the WAVE project, included the relocation and renovation within the site of the three existing buildings.

This amendment to Certificate 906A, now known as 0906AA, includes an extensive redesign of this project and supersedes prior approvals. The implementation of this amended project includes demolition of the two structures at 531 Massachusetts Ave. known as parcel F2A-103, a brown two-story wood house and a white two-story wood barn both constructed c. 1855. The blue house located at 525 Massachusetts Ave. known as parcel F2A-104 will be moved and relocated to 531 Massachusetts Ave known as parcel F2A-103. The two demolished structures will be replaced by new commercial structures located at 525-531 Massachusetts Avenue. The renovated blue house will be relocated to the western end of the site, adjacent to 537 Massachusetts Avenue. A structure reminiscent of the white barn will be constructed at the eastern end of the site. Between these two buildings will be a new two story structure that serves as the connector to a flat-roofed commercial building to the rear. The rear building's parapet completely conceals solar panels on its roof.

For the purpose of Certificate 0906AA, the referenced architectural drawings are the package of three drawings by OMR Architects submitted to and stamped by the town clerk on 12/11/12. The drawings include a Site plan, a Bird's Eye view and an Elevation drawing. Per the notes on the elevation drawing, the four buildings will now be referred to as Building A (formerly referred to as the "blue house") Building B (the middle building), Building C (the easternmost building reminiscent of a barn) and building D (the flat roofed rear building).

The drawings were prepared by OMR for the owners: 525 Mass Ave LLC, 531 Mass Ave LLC and WAVE Associates LLC, and represent the amended proposal reviewed and approved on February 4, 2013 by the HDC.

As the drawings submitted pre-date this COA in all instances the design details and materials referenced in this COA take precedence over the preliminary details and material notes called out on the drawings.

This project is approved to be built in its entirety per the above referenced drawings.

Findings, conditions, requirements, recommendations:

Findings:

1. Any part of this project visible from Massachusetts Avenue is within the jurisdiction of the HDC.
2. It is with great reluctance that the HDC considers the demolition of any of the buildings that are part of Acton's Historic Districts as they are already too few in number. Henceforth, independent licensed engineering reports evaluating a building's condition will be required at the earliest project initiation. This amendment is not to be considered a precedent for demolitions which will continue to be considered only as a last resort when all structural remedies are found to be infeasible. Engineering studies subsequent to the approval of Certificate 906A have confirmed that neither the white barn nor the brown house are structurally sound and therefore could be candidates for replication only, not relocation. Although in this instance the HDC has not required the replication of these buildings the HDC will continue to assume that renovation and/or replication (both consistent with the Department of Interior Standards), will be required for all buildings in the districts which fall into disrepair either through vacancy, accident or neglect.
3. This parcel was re-zoned by a 2/3 majority vote at Town Meeting in April 1994 to allow commercial development. An existing building that changes use must now meet the requirements of the 2009 IEBC Code including the Massachusetts amendments and, if renovated, is not allowed to benefit from the presumption that it met the code at the time of its original construction. These renovations therefore, must meet all the requirements of both that code and the Commonwealth of MA Architectural Access Board.
4. The HDC has verified with the Town of Acton Planning Department that the current number of parking spaces provided by the project meets the minimum as required by zoning and cannot be reduced.

On Condition:

Because the approved drawings are schematic in nature there remain items that are not yet adequately depicted and/or specified for approval. The HDC will require monthly meetings attended by no more than three members to review the project during the design process subsequent to this approval to ensure that all additional design decisions continue to reflect the intentions of the Commission with regard to this site. The applicant will provide documentation including drawings and specifications of design elements as necessary for review and approval by the full Commission as an agenda item at a regularly scheduled HDC meeting.

This amended project (0906AA) must not exceed the FAR requirements of the site. This approval is contingent on a finding by the Town of Acton Planning Department that this project meets all required site restrictions, including the required FAR.

1- A list of project components approved by the HDC is:

1. 3-tab shingles for all the sloping roofs.
2. Window specifications: All windows visible from Massachusetts Avenue to be double glazed Jeld-Wen custom series simulated divided light windows with wood sash set-up in a wood frame.
3. Building C will have random pattern fieldstone veneer foundation walls at the parking level. Samples and installation details of the stone selections to be submitted for approval and vote.

2- Demolition and Foundation Permit

1. A Demolition and Foundation permit may be granted in advance of the Building Permit for this project so that site work can commence when the weather permits. This demo and foundation approval requires that Building A (the blue house) will be preserved and relocated per the site plan.
2. Fieldstone and granite from the site will be set aside during this phase for re-use in subsequent landscaping work.
3. Front door of existing brown house will be set aside for re-use in the new project.
4. Before demolition, applicant to provide photographs of all 3 buildings showing each elevation and all trim details with dimensions (including porch posts, cornerboards, window casings, bed moldings, fascia, soffit, crown moldings, frieze and shutters) for Town archival purposes.

3- These items are among those which will need to be reviewed by, presented to and approved by the HDC BEFORE a BUILDING PERMIT will be granted for this project:

1. Additional window specifications: i.e. window muntins to have spacer bars. Muntin/lite pattern, profile and width to be reviewed and approved by HDC. Provide historic sills with extended sill horns and wood casing. Window glass selection to be approved by the HDC and consistent throughout the project.
2. Landscape plan (currently a minimum of (4) 2 ½"-3" caliper trees with inkberry under-planting) to be reviewed and amended by Acton's Tree Warden before implementation to assure that it contributes to the street-scape, is compatible with the goals of the town, and provides the screening of the parking requested by abutters. Plant selections need to reflect the limits of the overhead wires and be salt tolerant.
3. Provide fieldstone samples and installation details for review/approval for Building C foundation.
4. Detail of parapet at Building D (flat-roofed rear building). The parapet must completely screen the entire roof-mounted photovoltaic installation behind it, or the HDC will not permit installation.
5. Details of elements of Building B (middle building), including its connections to the rear building (Building D) and its front porch structure including the post details.
6. Details of the cupola at the Building C (barn building).
7. Details of all dormer roofs.
8. Review for approval the muntin pattern on windows on the Building A (the blue house).
9. Exterior doors.
10. Exterior hardware.
11. Required (if any) HVAC and mechanical penetrations visible from the street.
12. Lighting plan and fixture cut sheets for light fixtures visible from street.
13. All eave details at locations visible from the street.
14. All gutter and downspout profile and locations.
15. Clarification of plan and elevation details of the angled wall at the back of Building D.
16. Selection of street furniture that is visible from the public way (i.e. planters, benches etc) should be reviewed and approved by the HDC.

4- A list of remaining items to be determined that must also be reviewed and approved by the HDC BEFORE INSTALLATION, though not before a building permit is issued:

1. Awning material/text/color on sides of middle building. This will be tenant driven and TBD if tenants want it.
2. Tenant signage at Buildings A, B, C and D.

Requirements:

1. It is required that the list of as yet unresolved items will be detailed by the architects to meet the requirements of, and obtain the approval of, the HDC. It is assumed that because of the schematic nature of the current drawings, other details will emerge that are not listed in this approval that will be reviewed for approval by the HDC.
2. The applicant will make available drawings of those areas within HDC jurisdiction for HDC review at the following stages of drawing progress:
 1. 50% Schematic Design
 2. 100% Schematic Design
 3. 50% Design Development
 4. 100% Design Development
 5. 50% Construction Documents
 6. 100% Construction Documents
3. Dated title sheet and index sheet of the above drawings will be posted on Docushare.

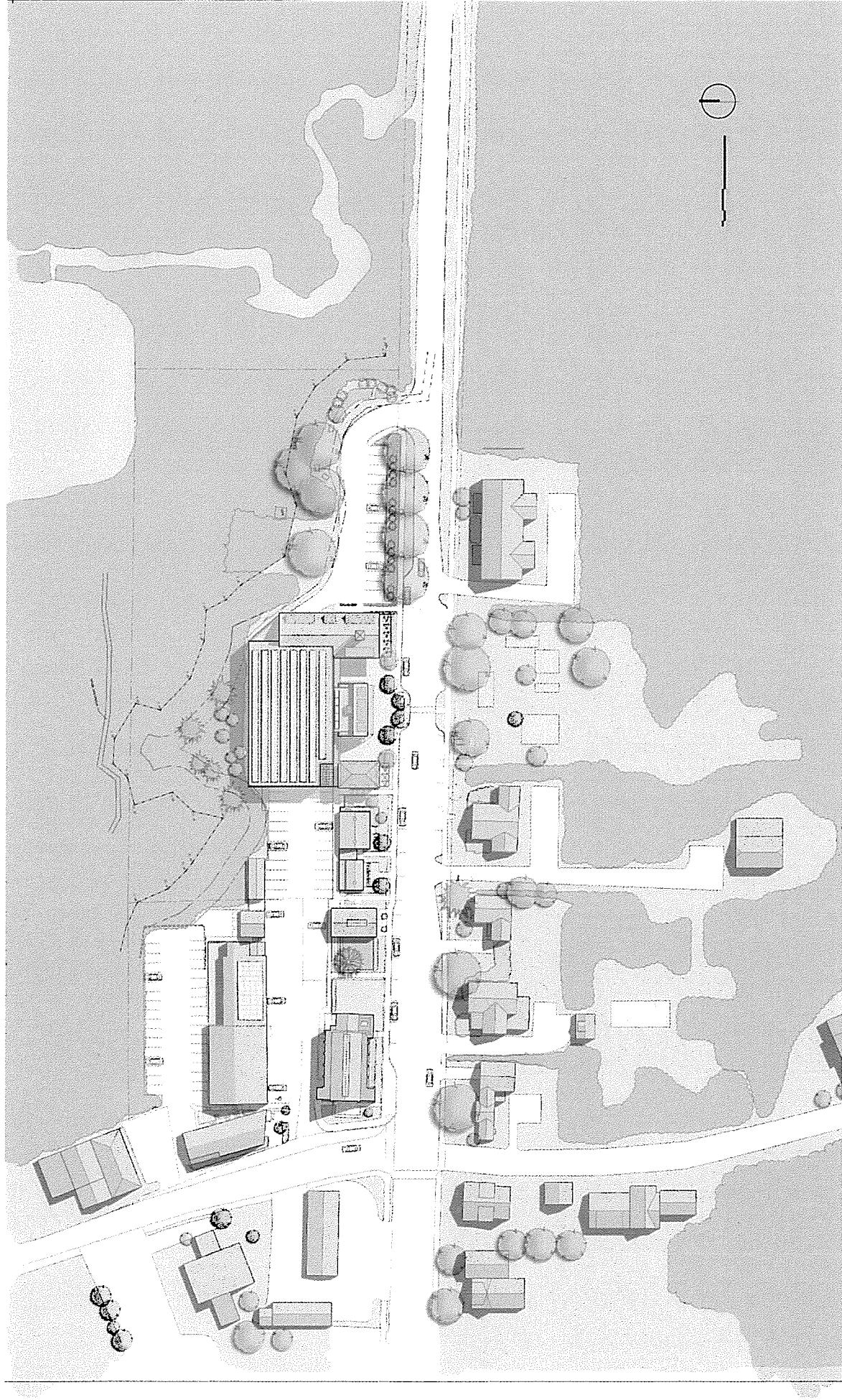
When completed, the work outlined above must conform in all particulars to the Application approved on February 4, 2013. The applicant may proceed with the proposed work provided all other approvals have been obtained, including a Building Permit or Sign License where required. This Certificate is valid for work commenced within one year of the date of issuance. An extension or renewal of the Certificate may be granted at the discretion of the commission. If a property changes ownership during the time the Certificate is in force, a new owner who wishes to continue the authorized work must apply to have a new Certificate issued in his or her own name.

Amendment to Application 0906A received April 28, 2009

Date of Public Hearing Oct. 9, 2012, & continued Oct. 23, 2012, Nov. 29, 2012, and Dec. 11, 2012

Certificate approved by Anita L. Rogers Date March 12, 2013
Anita Rogers for Historic District Commission

Copies to: Applicant, Building Commissioner, Town Clerk, Planning, HDC File

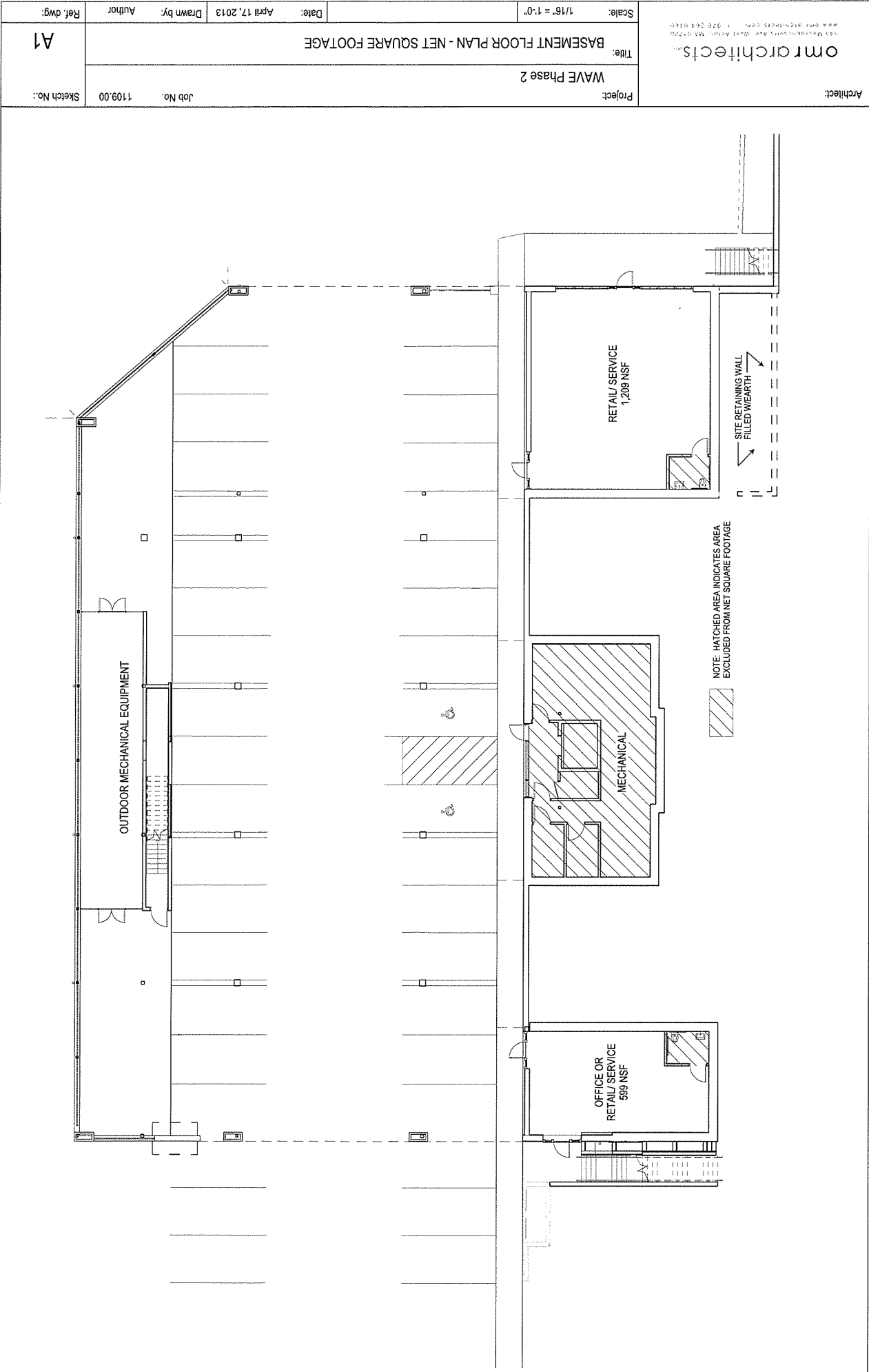


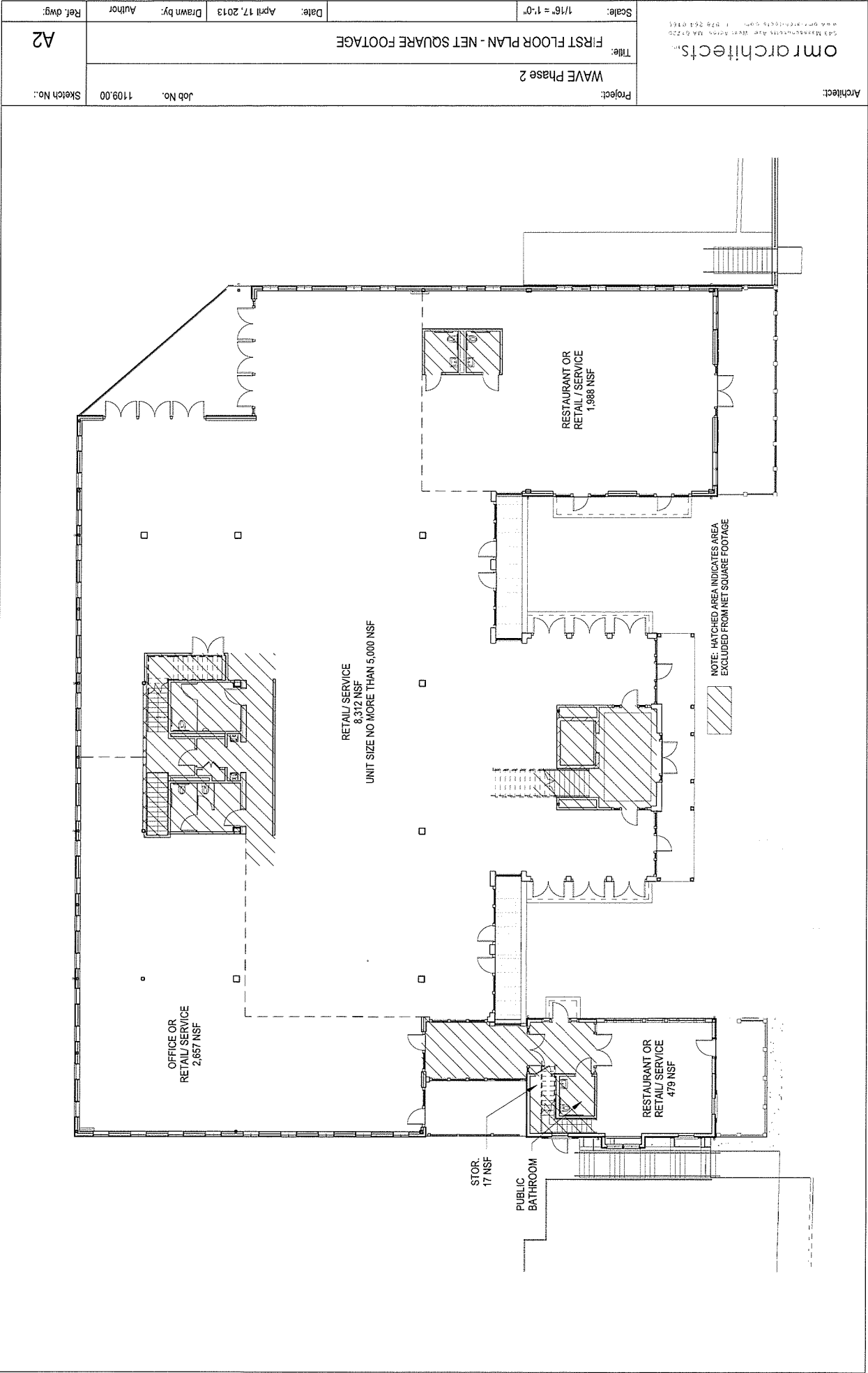
Site Plan

West Acton Village Ecology (WAVE II)

17 April 2013

omr Architects, Inc.

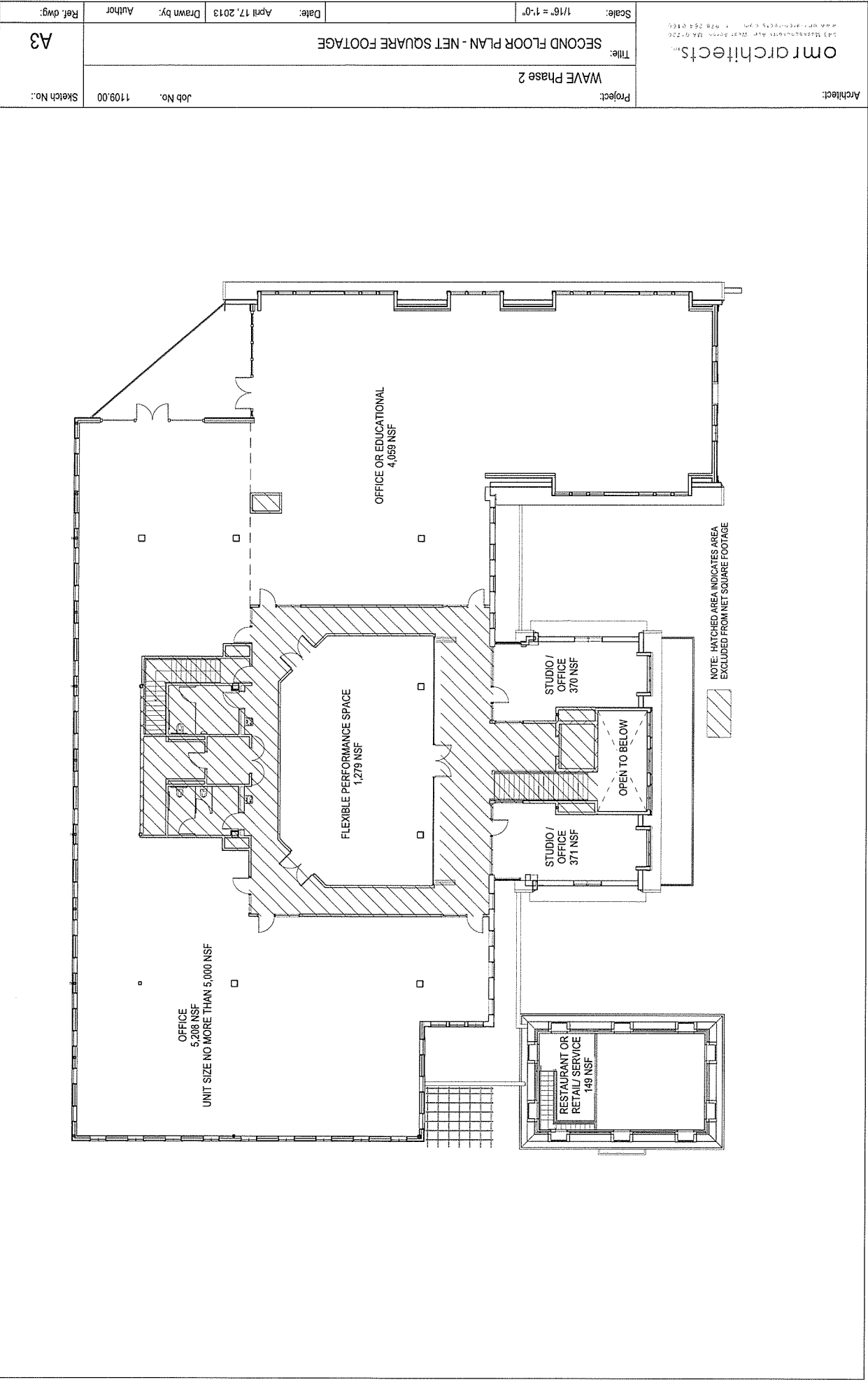




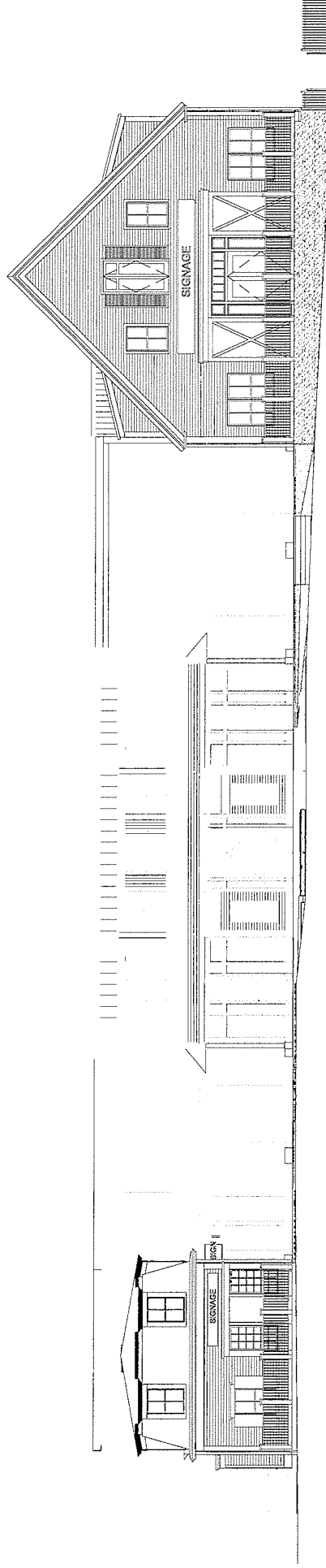
Architectural drawing of the first floor plan for WAVE Phase 2. The plan shows a large rectangular building with a complex internal layout. Key areas include:

- RESTAURANT OR RETAIL / SERVICE 1,988 NSF**: Located in the upper right corner.
- RESTAURANT OR RETAIL / SERVICE 479 NSF**: Located in the lower right corner.
- OFFICE OR RETAIL / SERVICE 2,657 NSF**: Located in the lower left corner.
- RETAIL / SERVICE 8,312 NSF**: A large central area.
- UNIT SIZE NO MORE THAN 5,000 NSF**: A note indicating the unit size for the central retail area.
- STOR 17 NSF**: A small storage area near the bottom center.
- PUBLIC BATHROOM**: Located near the bottom center.

A hatched area in the center of the plan is noted as being excluded from the net square footage. The plan also shows various corridors, stairs, and structural elements.



SECOND FLOOR PLAN - NET SQUARE FOOTAGE

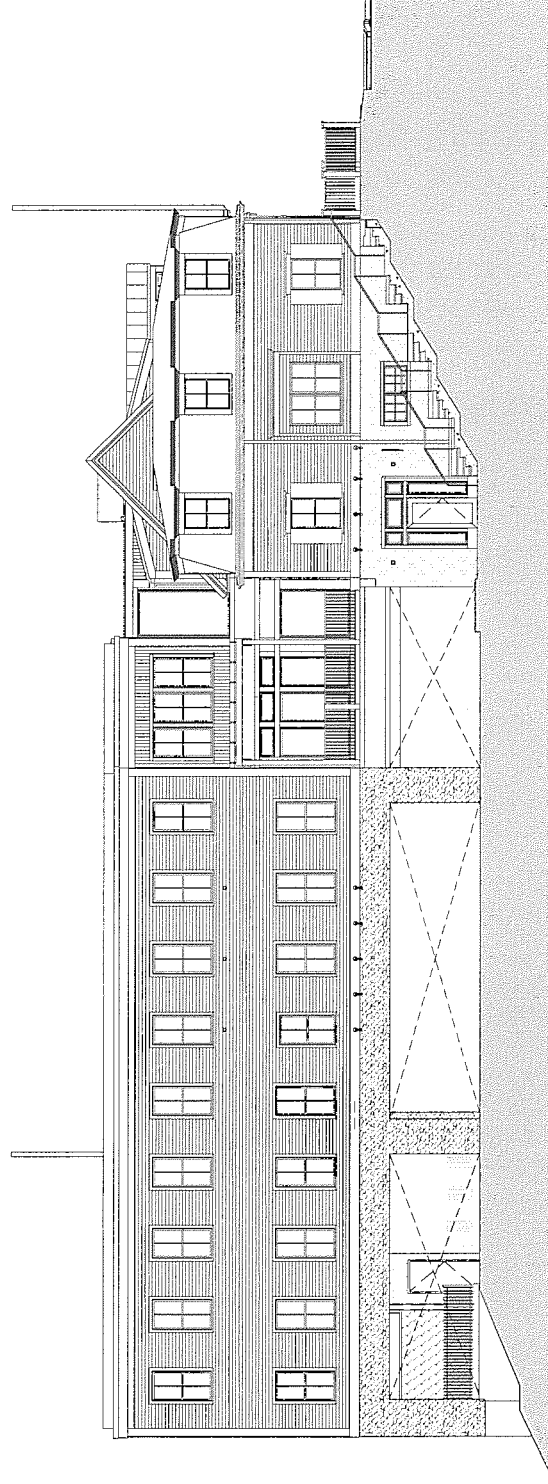


South Elevation

17 April 2013

omr Architects, Inc.

West Acton Village Ecology (WAVE II)

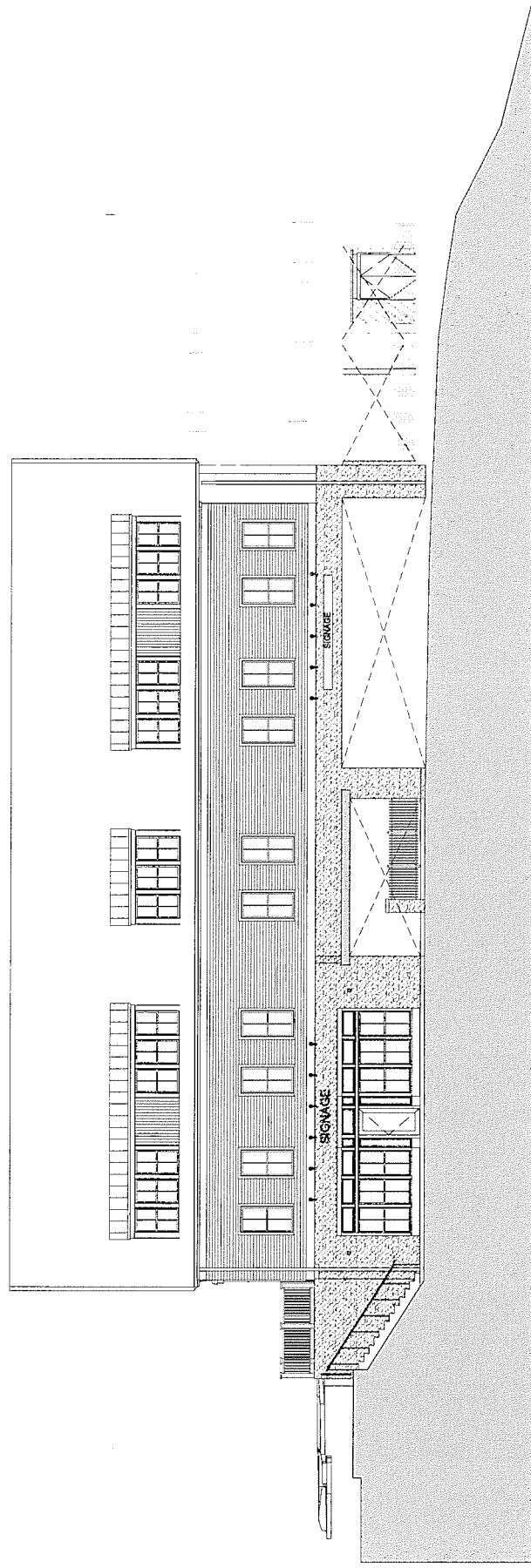


West Elevation

17 April 2013

omr Architects, Inc.

West Acton Village Ecology (WAVE II)

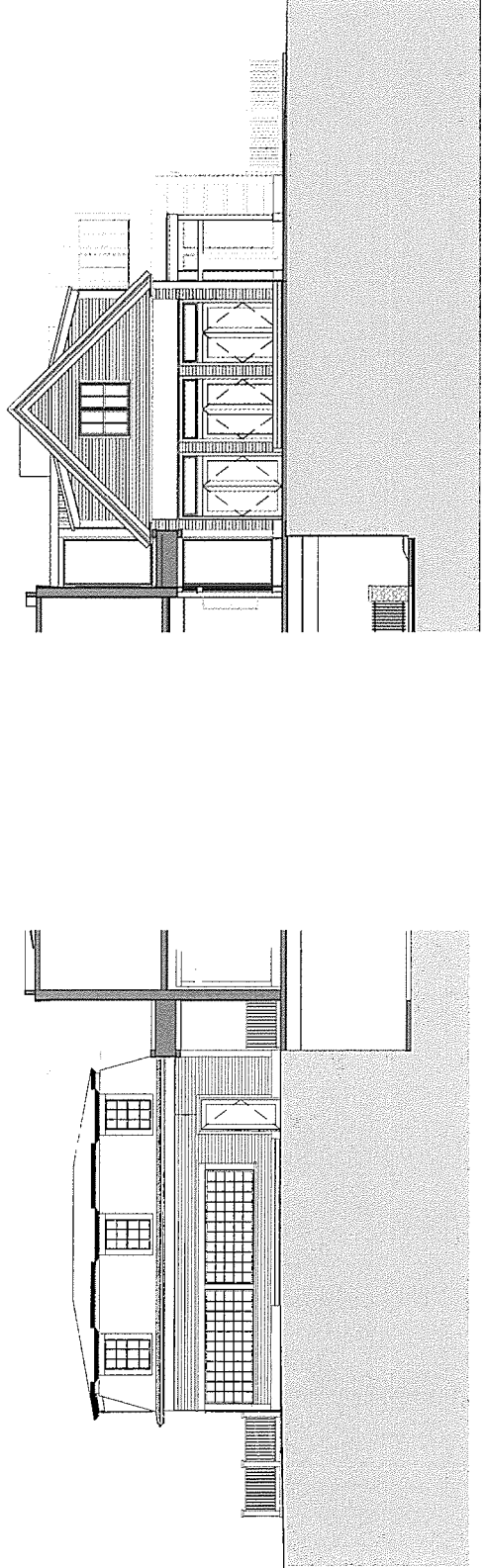


East Elevation

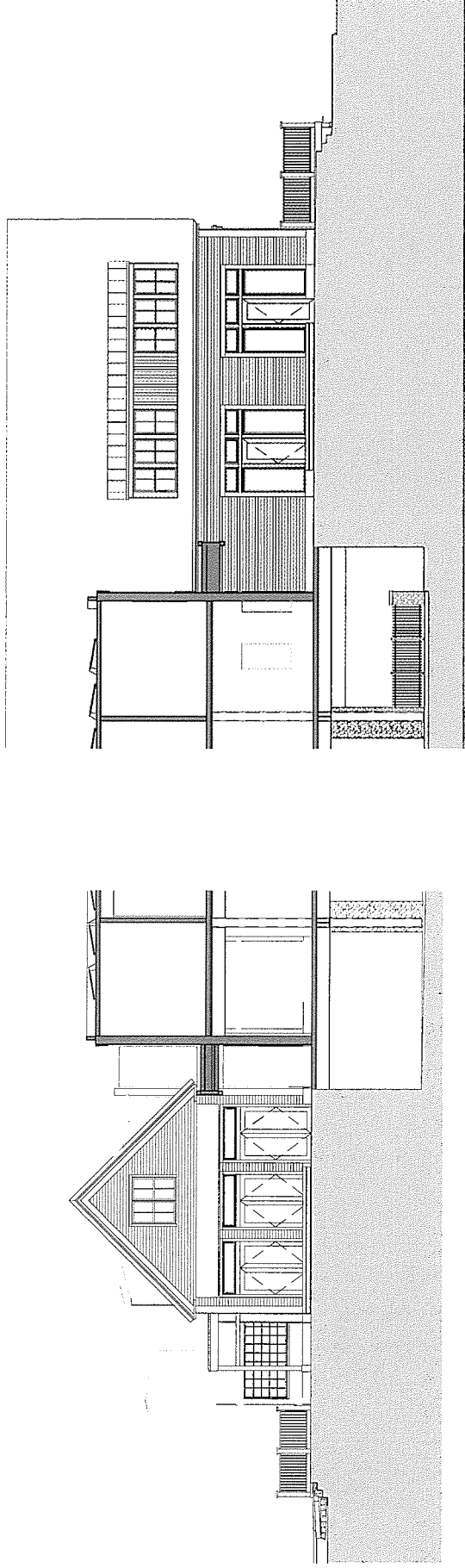
17 April 2013

omr Architects, Inc.

West Acton Village Ecology (WAVE II)

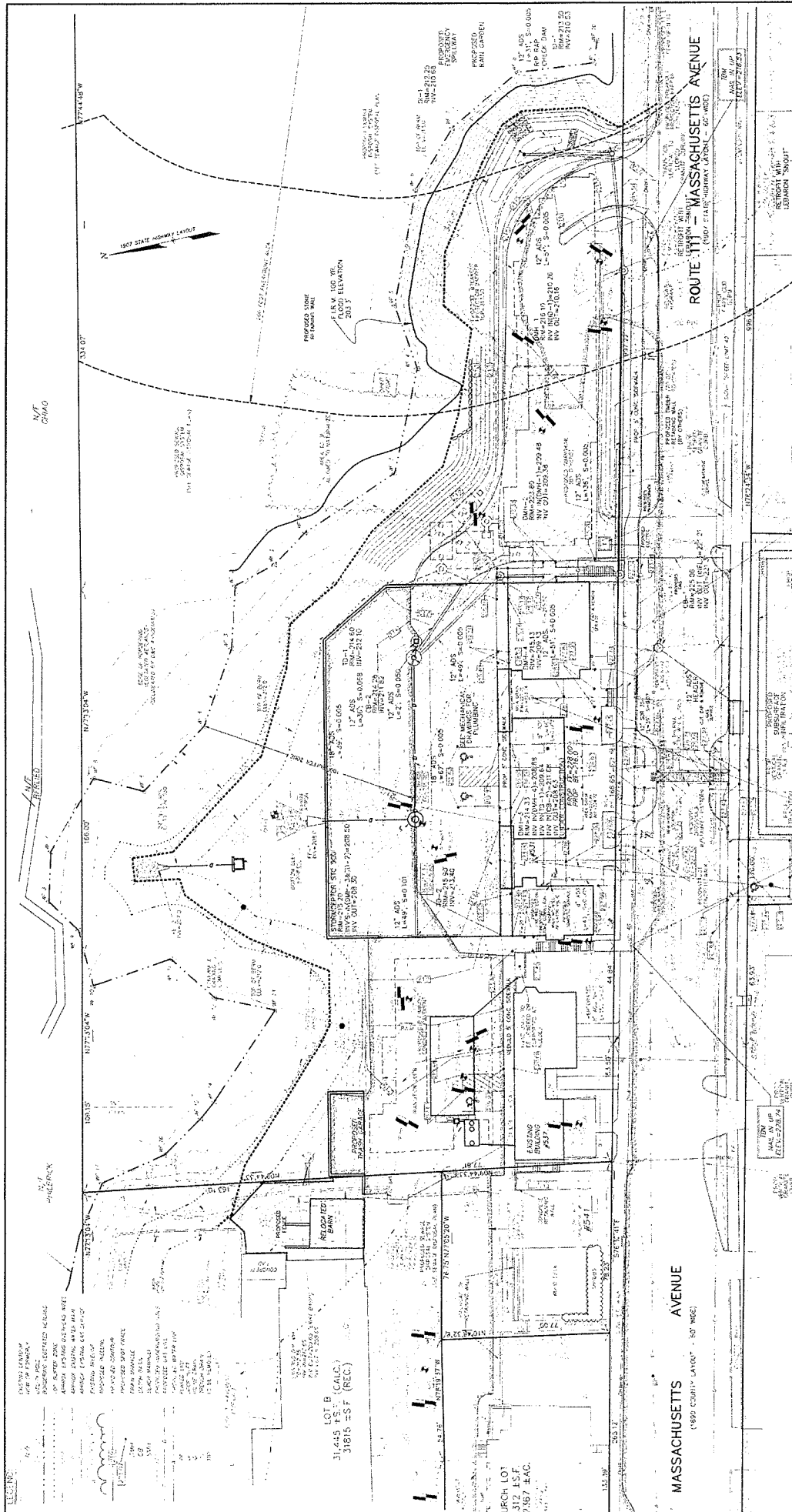


Courtyard Elevations



Courtyard Elevations

- 1" = 20'
- 1" = 40'
- 1" = 80'
- 1" = 160'
- 1" = 320'
- 1" = 640'
- 1" = 1280'
- 1" = 2560'
- 1" = 5120'
- 1" = 10240'
- 1" = 20480'
- 1" = 40960'
- 1" = 81920'
- 1" = 163840'
- 1" = 327680'
- 1" = 655360'
- 1" = 1310720'
- 1" = 2621440'
- 1" = 5242880'
- 1" = 10485760'
- 1" = 20971520'
- 1" = 41943040'
- 1" = 83886080'
- 1" = 167772160'
- 1" = 335544320'
- 1" = 671088640'
- 1" = 1342177280'
- 1" = 2684354560'
- 1" = 5368709120'
- 1" = 10737418240'
- 1" = 21474836480'
- 1" = 42949672960'
- 1" = 85899345920'
- 1" = 171798691840'
- 1" = 343597383680'
- 1" = 687194767360'
- 1" = 1374389534720'
- 1" = 2748779069440'
- 1" = 5497558138880'
- 1" = 10995116277760'
- 1" = 21990232555520'
- 1" = 43980465111040'
- 1" = 87960930222080'
- 1" = 175921860444160'
- 1" = 351843720888320'
- 1" = 703687441776640'
- 1" = 1407374883553280'
- 1" = 2814749767106560'
- 1" = 5629499534213120'
- 1" = 11258999068426240'
- 1" = 22517998136852480'
- 1" = 45035996273704960'
- 1" = 90071992547409920'
- 1" = 180143985094819840'
- 1" = 360287970189639680'
- 1" = 720575940379279360'
- 1" = 1441151880758558720'
- 1" = 2882303761517117440'
- 1" = 5764607523034234880'
- 1" = 11529215046068469760'
- 1" = 23058430092136939520'
- 1" = 46116860184273879040'
- 1" = 92233720368547758080'
- 1" = 184467440737095516160'
- 1" = 368934881474191032320'
- 1" = 737869762948382064640'
- 1" = 1475739525896764129280'
- 1" = 2951479051793528258560'
- 1" = 5902958103587056517120'
- 1" = 11805916207174113034240'
- 1" = 23611832414348226068480'
- 1" = 47223664828696452136960'
- 1" = 94447329657392904273920'
- 1" = 188894659314785808547840'
- 1" = 377789318629571617095680'
- 1" = 755578637259143234191360'
- 1" = 1511157274518286468382720'
- 1" = 3022314549036572936765440'
- 1" = 6044629098073145873530880'
- 1" = 12089258196146291747061760'
- 1" = 24178516392292583494123520'
- 1" = 48357032784585166988247040'
- 1" = 96714065569170333976494080'
- 1" = 193428131138340667952988160'
- 1" = 386856262276681335905976320'
- 1" = 773712524553362671811952640'
- 1" = 1547425049106725343623905280'
- 1" = 3094850098213450687247810560'
- 1" = 6189700196426901374495621120'
- 1" = 12379400392853802748991242240'
- 1" = 24758800785707605497982484480'
- 1" = 49517601571415210995964968960'
- 1" = 99035203142830421991929937920'
- 1" = 198070406285660843983859875840'
- 1" = 396140812571321687967719751680'
- 1" = 792281625142643375935439503360'
- 1" = 1584563250285286751870879006720'
- 1" = 3169126500570573503741758013440'
- 1" = 6338253001141147007483516026880'
- 1" = 12676506002282294014967032053760'
- 1" = 25353012004564588029934064107520'
- 1" = 50706024009129176059868128215040'
- 1" = 101412048018258352119736256430080'
- 1" = 202824096036516704239472512860160'
- 1" = 405648192073033408478945025720320'
- 1" = 811296384146066816957890051440640'
- 1" = 1622592768292133633915780102881280'
- 1" = 3245185536584267267831560205762560'
- 1" = 6490371073168534535663120411525120'
- 1" = 12980742146337069071326240823050240'
- 1" = 25961484292674138142652481646100480'
- 1" = 51922968585348276285304963292200960'
- 1" = 103845937170696552570609926584401920'
- 1" = 207691874341393105141219853168803840'
- 1" = 415383748682786210282439706337607680'
- 1" = 830767497365572420564879412675215360'
- 1" = 1661534994731144841129758825350430720'
- 1" = 3323069989462289682259517650700861440'
- 1" = 6646139978924579364519035301401722880'
- 1" = 13292279957849158729038070602803445760'
- 1" = 26584559915698317458076141205606891520'
- 1" = 53169119831396634916152282411213783040'
- 1" = 106338239662793269832304564822427566080'
- 1" = 212676479325586539664609129644855132160'
- 1" = 425352958651173079329218259289710264320'
- 1" = 850705917302346158658436518579420528640'
- 1" = 1701411834604692317316873037158841057280'
- 1" = 3402823669209384634633746074317682114560'
- 1" = 6805647338418769269267492148635364229120'
- 1" = 13611294676837538538534984297270728458240'
- 1" = 27222589353675077077069968594541456916480'
- 1" = 54445178707350154154139937189082913832960'
- 1" = 108890357414700308308279874378165827665920'
- 1" = 217780714829400616616559748756331655331840'
- 1" = 435561429658801233233119497512663310663680'
- 1" = 871122859317602466466238995025326621327360'
- 1" = 1742245718635204932932477990050653242654720'
- 1" = 3484491437270409865864955980101306485309440'
- 1" = 6968982874540819731729911960202612970618880'
- 1" = 13937965749081639463459823920405225941237760'
- 1" = 27875931498163278926919647840810451882475520'
- 1" = 55751862996326557853839295681620903764951040'
- 1" = 111503725992653115707678591363241807529902080'
- 1" = 223007451985306231415357182726483615059804160'
- 1" = 446014903970612462830714365452967230119608320'
- 1" = 892029807941224925661428730905934460239216640'
- 1" = 1784059615882449851322857461811868920478433280'
- 1" = 3568119231764899702645714923623737840956866560'
- 1" = 7136238463529799405291429847247475681913733120'
- 1" = 14272476927059598810582859694494951363827466240'
- 1" = 28544953854119197621165719388989902727654932480'
- 1" = 57089907708238395242331438777979805455309864960'
- 1" = 114179815416476790484662877555959610910619729920'
- 1" = 228359630832953580969325755111919221821239459840'
- 1" = 456719261665907161938651510223838443642478919680'
- 1" = 913438523331814323877303020447676887284957839360'
- 1" = 1826877046663628647754606040895353774569915678720'
- 1" = 3653754093327257295509212081790707549139831357440'
- 1" = 7307508186654514591018424163581415098279662714880'
- 1" = 14615016373309029182036848327162830196559325429760'
- 1" = 29230032746618058364073696654325660393118650859520'
- 1" = 58460065493236116728147393308651320786237301719040'
- 1" = 116920130986472233456294786617302641572474603438080'
- 1" = 233840261972944466912589573234605283144949206876160'
- 1" = 467680523945888933825179146469210566289898413752320'
- 1" = 935361047891777867650358292938421132579796827504640'
- 1" = 1870722095783555735300716585876842265159593655009280'
- 1" = 3741444191567111470601433171753684530319187310018560'
- 1" = 7482888383134222941202866343507369060638374620037120'
- 1" = 14965776766268445882405732687014738121276749240074240'
- 1" = 29931553532536891764811465374029476242553498480148480'
- 1" = 59863107065073783529622930748058952485106996960296960'
- 1" = 119726214130147567059245861496117904970213993920593920'
- 1" = 239452428260295134118491722992235809940427987841187840'
- 1" = 478904856520590268236983445984471619880855975682375680'
- 1" = 957809713041180536473966891968943239761711951364751360'
- 1" = 1915619426082361072947933783937886479523423902729502720'
- 1" = 3831238852164722145895867567875772959046847805459005440'
- 1" = 7662477704329444291791735135751545918093695610918010880'
- 1" = 15324955408658888583583470271503091836187391221836021760'
- 1" = 30649910817317777167166940543006183672374782443672043520'
- 1" = 61299821634635554334333881086012367344749564887344087040'
- 1" = 122599643269271108668667762172024734689499129774688174080'
- 1" = 245199286538542217337335524344049469378998259549376348160'
- 1" = 490398573077084434674671048688098938757996519098752696320'
- 1" = 980797146154168869349342097376197877515993038197505392640'
- 1" = 1961594292308337738698684194752395755031986076395010785280'
- 1" = 3923188584616675477397368389504791510063972152790021570560'
- 1" = 7846377169233350954794736779009583020127944305580043141120'
- 1" = 15692754338466701909589473558019166040255888611160086282240'
- 1" = 31385508676933403819178947116038332080511777222320172564480'
- 1" = 62771017353866807638357894232076664161023554444640345128960'
- 1" = 125542034707733615276715788464153328322047108889280690257920'
- 1" = 251084069415467230553431576928306656644094217778561380515840'
- 1" = 502168138830934461106863153856613313288188435557122761031680'
- 1" = 1004336277661868922213726307713226626576376871114245522063360'
- 1" = 2008672555323737844427452615426453253152753742228491044126720'
- 1" = 4017345110647475688854905230852906506305507484456982088253440'
- 1" = 8034690221294951377709810461705813012611014968913964176506880'
- 1" = 16069380442589902755419620923411626025222029937827928353013760'
- 1" = 32138760885179805510839241846823252050444059875655856706027520'
- 1" = 64277521770359611021678483693646504100888119751311713412055040'
- 1" = 128555043540719222043356967387293008201776239502623426824110080'
- 1" = 257110087081438444086713934774586016403552479005246853648220160'
- 1" = 514220174162876888173427869549172032807104958010493707296440320'
- 1" = 1028440348325753776346855739098344065614209916020987414592880640'
- 1" = 2056880696651507552693711478196688131228419832041974829185761280'
- 1" = 4113761393303015105387422956393376262456839664083949658371522560'
- 1" = 8227522786606030210774845912786752524913679328167899316743045120'
- 1" = 16455045573212060421549691825573505049827358656335798633486090240'
- 1" = 32910091146424120843099383651147010099654717312671597266972180480'
- 1" = 65820182292848241686198767302294020199309434625343194533944360960'
- 1" = 131640364585696483372397534604588040398618869250686389067888721920'
- 1" = 263280729171392966744795069209176080797237738501372778135777443840'
- 1" = 526561458342785933489590138418352161594475477002745556271554887680'
- 1" = 1053122916685571866979180276836704323188950954005491112543109775360'
- 1" = 2106245833371143733958360553673408646377901908010982225086219550720'
- 1" = 4212491666742287467916721107346817292755803816021964450172439101440'
- 1" = 8424983333484574935833442214693634585511607632043928900344878202880'
- 1" = 16849966667969149871666884429387269171023215264087857800689756405760'
- 1" = 33699933335938299743333768858774538342046430528175715601379512811520'
- 1" = 67399866671876599486667537717549076684092861056351431202759025623040'
- 1" = 134799733343753198973335075435098153368185722112702862405518051246080'
- 1" = 269599466687506397946670150870196306736371444225405724811036102492160'
- 1" = 539198933375012795893340301740392613472742888450811449622072204984320'
- 1" = 1078397866750025591786680603480785226945485776901622899244144409968640'
- 1" = 2156795733500051183573361206961570453890971553803245798488288819937280'
- 1" = 4313591467000102367146722413923140907781943107606491596976577639874560'
- 1" = 8627182934000204734293444827846281815563886215212983193953155279749120'
- 1" = 17254365868000409468586889655692563631127772430425966387906310559498240'
- 1" = 34508731736000818937173779311385127262255544860851932775812621118996480'
- 1" = 69017463472001637874347558622770254524511089721703865551625242237992960'
- 1" = 138034926944003275748695117245540509049022179443407731103250484475985920'
- 1" = 276069853888006551497390234491081018098044358886815462206500968951971840'
- 1" = 552139707776013102994780468982162036196088717773630924413001937903943680'
- 1" = 1104279415552026205989560937964324072392177435547261848826003875807887360'
- 1" = 2208558831104052411979121875928648144784354871094523697652007751615774720'
- 1" = 4417117662208104823958243751857296289568709742189047395304015503231549440'
- 1" = 8834235324416209647916487503714592579137419484378094790608031006463098880'
- 1" = 17668470648832419295832975007429185158274838968756189581216062012926197760'
- 1" = 35336941297664838591665950014858370316549677937512379162432124025852395520'
- 1" = 70673882595329677183331900029716740633099355875024758324864248051704791040'
- 1" = 141347765190659354366663800059433481266198711750049516649728496103409582080'
- 1" = 282695530381318708733327600118866962532397423500099033299456992206819164160'
- 1" = 565391060762637417466655200237733925064794847000198066598913984413638328320'
- 1" = 1130782121525274834933310400475467850129589694000396133197827968827276656640'
- 1" = 2261564243050549669866620800950935700259179388000792266395655937654553313280'
- 1" = 4523128486101099339733241601901871400518358776001584532791311875309106626560'
- 1" = 9046256972202198679466483203803742801036717552003169065582623750618213253120'
- 1" = 18092513944404397358932966407607485602073435104006338131165247501236426506240'
- 1" = 3618502788880879471786593



MASSACHUSETTS AVENUE
(1989 COUNTY LAYOUT - 50' WIDE)

ROUTE 111 - MASSACHUSETTS AVENUE

MASSACHUSETTS AVENUE
(1987 STATE HIGHWAY LAYOUT - 60' WIDE)

525-541 MASSACHUSETTS AVE
SITE PLAN
ACTON, MASSACHUSETTS
GRADING, DRAINAGE & UTILITIES PLAN

FOR:
ROSENFELD

SCALE: 1"=20'
JULY 31, 2009

REV: DECEMBER 21, 2008; FEBRUARY 17, 2009; MAY 4, 2009
REV: MARCH 4, 2009; MARCH 13, 2009; MARCH 14, 2009; APRIL 19, 2009

STAMSKI AND MCNARY, INC.
1000 MAIN STREET
ACTON, MASSACHUSETTS
ENGINEERING - PLANNING - SURVEYING
(978) 263-8855

APPROX. LOCATION
RES. BUILDING
#537-538

APPROX. LOCATION
RES. BUILDING
#537-538

APPROX. LOCATION
RES. BUILDING
#537-538

APPROX. LOCATION
RES. BUILDING
#537-538

PERMIT SET
NOT FOR
CONSTRUCTION

1320SP-WAV-LDWG SHEET 4 OF 8 SM-3320



Figure 1 illustrates the experimental setup for measuring the spin Hall effect of light. A laser beam enters from the left, passes through a half-wave plate ($\lambda/2$), a polarizing beam splitter (PBS), and a quarter-wave plate ($\lambda/4$). It then reflects off a mirror (M) and passes through a lens (L) to a detector (D). The diagram also shows the coordinate system (x, y, z) and the wave vector (k).

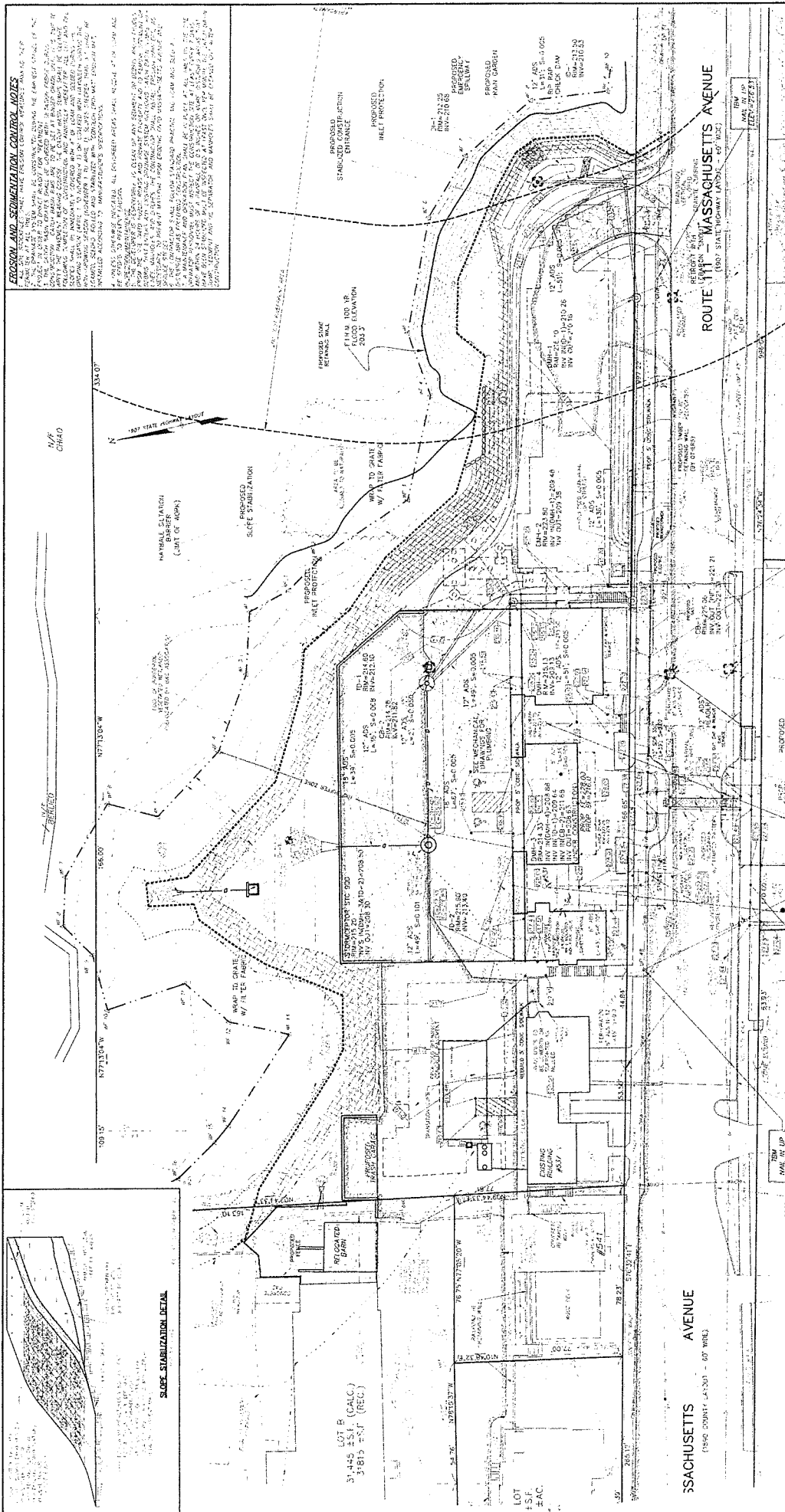
STAMSKI AND McNARY, INC.
1000 MAIN STREET ACTON, MASSACHUSETTS
(978) 263-8585
ENGINEERING — PLANNING — SURVEYING

0 10 20 40 60 80 ft

(3205P-WAY-JDWG) SHEET 5 OF 8 SW-3320

PERMIT SET
NOT FOR
CONSTRUCTION

(3320SP-WAY-J.DWG) SHEET 5 OF 8 SM-3320



STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE

1. EXISTING STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AND REPAIRED AS NEEDED.
2. EXISTING STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AND REPAIRED AS NEEDED.
3. EXISTING STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AND REPAIRED AS NEEDED.
4. EXISTING STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AND REPAIRED AS NEEDED.
5. EXISTING STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED AND REPAIRED AS NEEDED.

STATION BARRIER DETAIL

INLET PROTECTION DETAIL

**PERMIT SET
NOT FOR
CONSTRUCTION**

APPROX. LOCATION OF
EXIST. BUILDING

ELEVATION: 228.74'

WAVE SITE PLAN

ACTION, MASSACHUSETTS

STORMWATER POLLUTION PREVENTION SITE PLAN

FOR: ROSENFELD

SCALE: 1"=20' JULY 31, 2009

REV: OCTOBER 21, 2009; FEBRUARY 17, 2010; MAY 13, 2010

REV: MARCH 4, 2011; MARCH 8, 2011; MARCH 14, 2011; APRIL 19, 2011

STAMSKI AND MCNARY, INC.

1000 MAIN STREET ACTION, MASSACHUSETTS

ENGINEERING & PLANNING SURVEYING

(3303P-WAY-LOWE) SHEET 6 OF 8 SH-3320

GENERAL NOTES

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION (MCDOT) STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, 2003 EDITION, AND THE LATEST EDITIONS OF THE MASSACHUSETTS DEPARTMENT OF PUBLIC WORKS (MDPW) STANDARD SPECIFICATIONS FOR SEWER, WATER, AND STORMWATER, 2003 EDITION.

DRAINAGE SYSTEM OPERATION AND MAINTENANCE PLAN

1. THE DRAINAGE SYSTEM OPERATION AND MAINTENANCE PLAN (DSOMP) IS A REQUIRED COMPONENT OF THE PERMIT APPLICATION FOR THE CONSTRUCTION OF A NEW DRAINAGE SYSTEM OR THE MODIFICATION OF AN EXISTING DRAINAGE SYSTEM.

2. THE DSOMP SHALL DESCRIBE THE OPERATION AND MAINTENANCE OF THE DRAINAGE SYSTEM FOR THE LIFE OF THE PROJECT, INCLUDING THE FOLLOWING:

- a. THE DRAINAGE SYSTEM SHALL BE DESIGNED TO OPERATE AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- b. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- c. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- d. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- e. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- f. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- g. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- h. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- i. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- j. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- k. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- l. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- m. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- n. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- o. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- p. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- q. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- r. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- s. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- t. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- u. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- v. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- w. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- x. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- y. THE DRAINAGE SYSTEM SHALL BE OPERATED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.
- z. THE DRAINAGE SYSTEM SHALL BE MAINTAINED AT A MINIMUM OF 100% EFFICIENCY FOR THE LIFE OF THE PROJECT.

PERMIT SET NOT FOR CONSTRUCTION

1. THIS PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

2. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

3. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

4. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

5. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

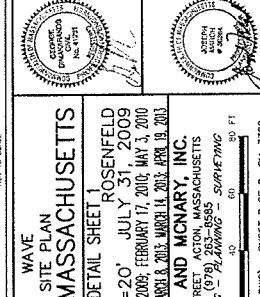
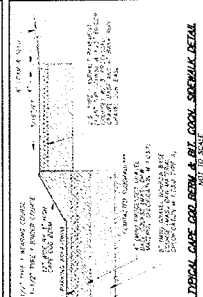
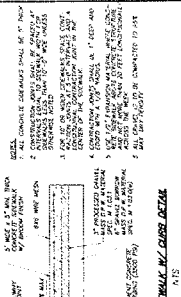
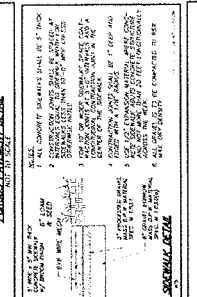
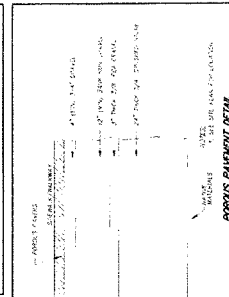
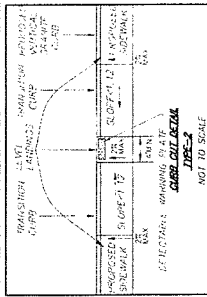
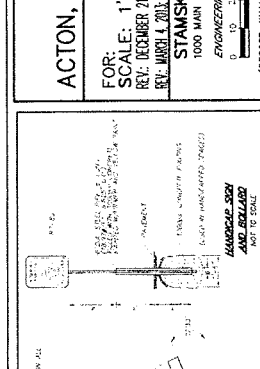
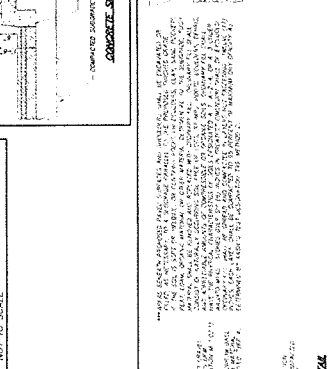
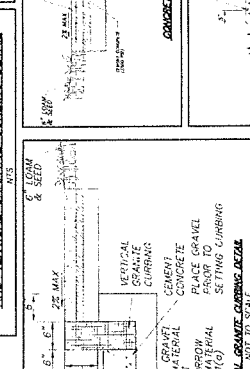
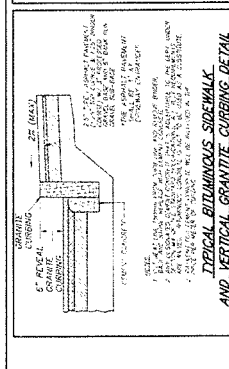
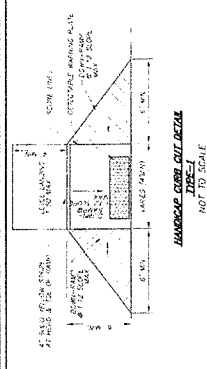
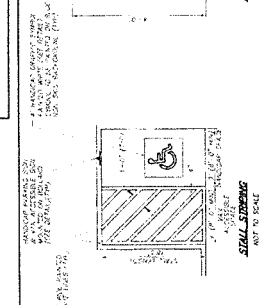
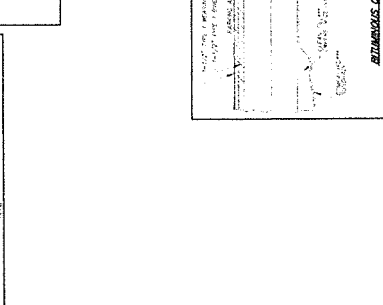
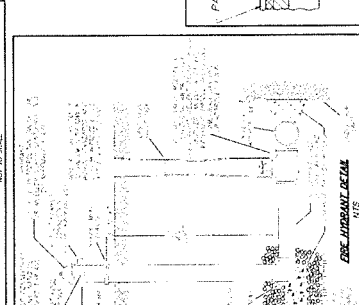
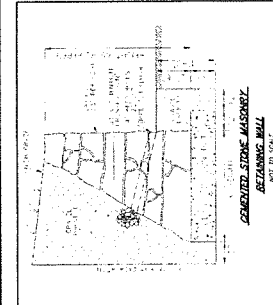
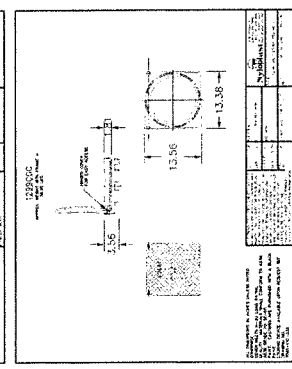
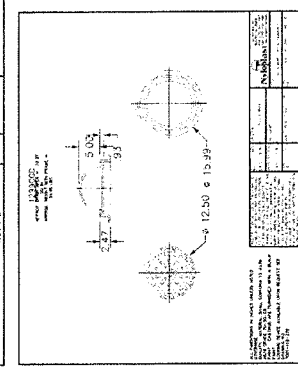
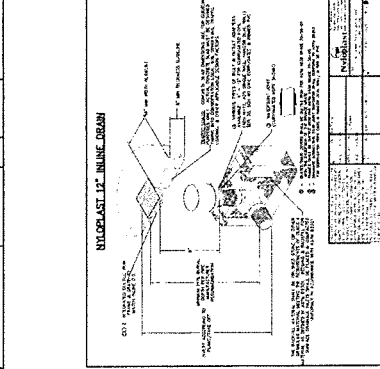
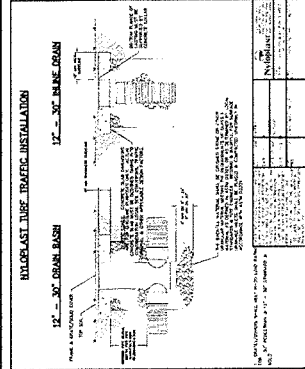
6. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

7. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

8. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

9. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.

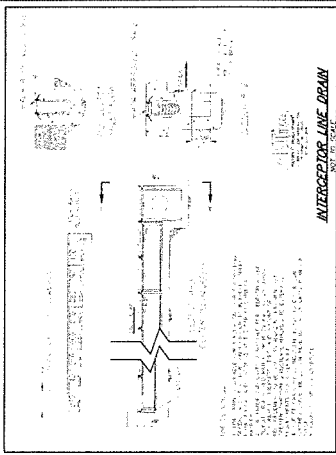
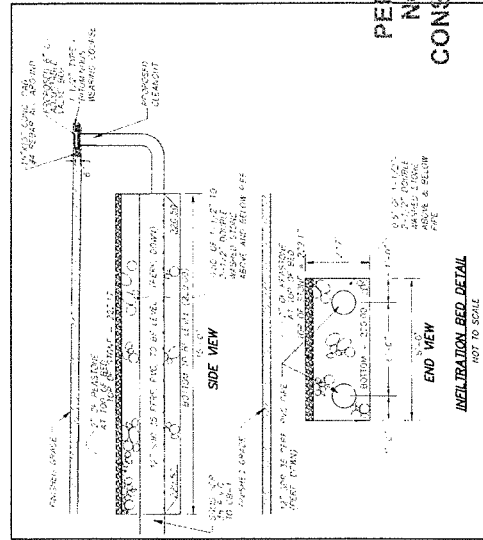
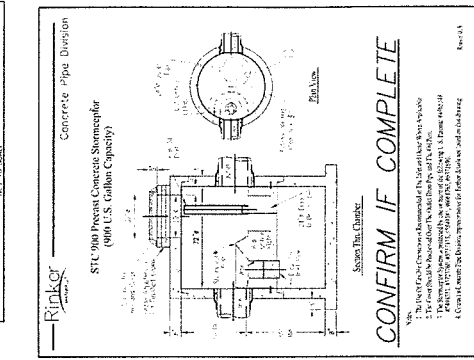
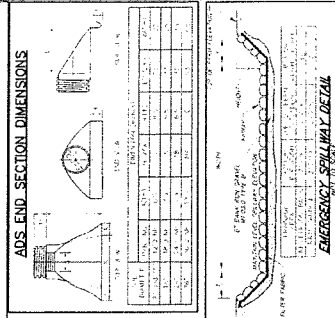
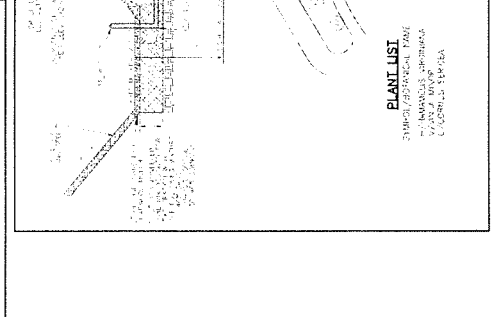
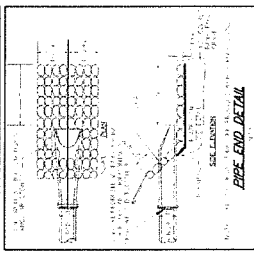
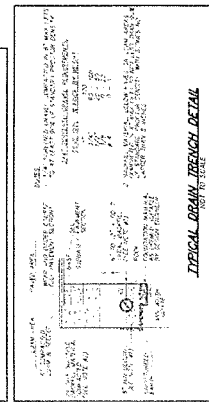
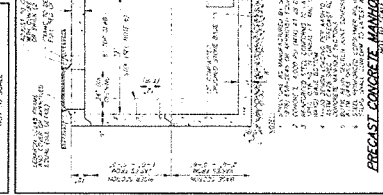
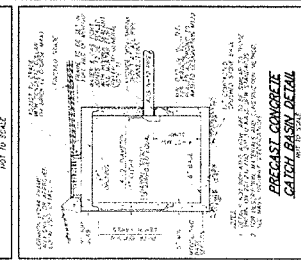
10. THE PERMIT SET IS NOT FOR CONSTRUCTION. IT IS A PRELIMINARY DESIGN AND SHALL BE USED FOR INFORMATIONAL PURPOSES ONLY.



STAMSKI AND MCNARY, INC.
ENGINEERING
1000 MAIN STREET
ACTON, MASSACHUSETTS 01725
TEL: 978-261-1234
FAX: 978-261-1235
WWW.STAMSKIANDMCNARY.COM

WAVE
SITE PLAN
ACTON, MASSACHUSETTS
DETAIL SHEET 1
FOR: ROSENFELD
SCALE: 1"=20'
JULY 31, 2009
REV: DECEMBER 21, 2008; FEBRUARY 17, 2009; MAY 3, 2010
REV: MARCH 1, 2011; MARCH 1, 2012; MARCH 1, 2013; APRIL 15, 2013

SHEET 7 OF 8 SH-3300
(3320SP-WAV-JDW)



WAVE
SITE PLAN
ACTION, MASSACHUSETTS

FOR: **ROSENFELD**
SCALE: 1" = 20' JULY 31, 2009
REV: DECEMBER 21, 2009; FEBRUARY 17, 2010; MAY 3, 2010
REV: MARCH 4, 2012; MARCH & APRIL 2012; APRIL 19, 2013

STAMSKI AND MCNARY, INC.
1000 MAIN STREET
ACTION, MASSACHUSETTS
(978) 263-5545
ENGINEERING & SURVEYING

0 10 20 40 60 80 FT

(3320SP-WAV-DWG) SHEET 8 OF 8 SM-3320

STAMSKI AND MCNARY, INC.

1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

JOSEPH MARCH, P.E., P.L.S.
GEORGE DIMAKARAKOS, P.E.

April 19, 2013

Corey York, P.L.S., Town Engineer
Acton Engineering Department
472 Main Street
Acton, MA 01720

Re: WAVE Project
Site Plan Revisions
525-537 Mass Ave

Dear Mr. York,

The Site Plan for the referenced site has been updated based upon several changes to the proposal by the Applicant. The changes are minor from an engineering perspective, as follows:

1. There have been minor changes to the building footprint and walkways on site.
2. The proposed crosswalk at Massachusetts Avenue has been shift to the east to be centered with the new building entrance.
3. The handicap parking space has been proposed in the area of the existing parking pad in the park across Mass. Ave. As a result of 2. And 3., the proposed parking spaces on the street have been adjusted accordingly.
4. DMH-2 and DMH-4 have been moved to accommodate the new building footprint. Also, two area drains have been added to the front of the building to accommodate the new plaza layout.
5. The handicap parking beneath the building has been shifted to the new elevator location.
6. Utilities have been adjusted for the new building footprint.

We feel that these changes are minor and do not warrant extensive review. We have confirmed that there is a negligible increase in impervious coverage of less than 700 square feet and that the Stormwater Management System is adequately sized to mitigate runoff with no increases.

If you have any questions regarding this matter, please feel free to contact us.

Respectfully,
Stamski and McNary, Inc.



George Dimakarakos, P.E.

Lili Early

From: Doug Halley
Sent: Wednesday, May 08, 2013 8:09 AM
To: Roland Bartl; Corey York
Cc: Health Department; Engineering Department; Tom Tidman; Planning Department; 'Mathias Rosenfeld'; Christine Joyce; Manager Department
Subject: RE: Electronic Copies for WAVE BoS Submission

Roland,

Both Mathias and George have met with the Health Department regarding the amendments and we were able to provide our input during those meetings. At this time the Health Department has no additional comments.

Doug

From: Roland Bartl
Sent: Tuesday, May 07, 2013 5:15 PM
To: Doug Halley; Corey York
Cc: Health Department; Engineering Department; Tom Tidman; Planning Department; 'Mathias Rosenfeld'; Christine Joyce; Manager Department
Subject: FW: Electronic Copies for WAVE BoS Submission

Hi, Doug & Corey:

Attached is a formal request for a site plan amendment for the WAVE project in West Acton. Matthias Rosenfeld writes in his cover letter, that George Dimakarakos contacted each of you separately for discussion and input on the matter. I assume you have received George's communication. From my perspective the proposed changes are small enough to be considered without a new public hearing and can quite reasonably be placed on the Board of Selectmen's consent calendar. I would like to get this scheduled at a Board of Selectmen's meeting before the end of the month of May if at all possible. Please be so kind and provide me with any relevant comments from your office no later than **May 16**.

Tom: I do not see any changes to the project relative to wetlands impact or ConCom jurisdiction. But, you are the one to make that call, not me. Therefore, I have cc'd you on this correspondence just in case.

Christine: I am not aware of a set BoS meeting schedule, as yet. However, please add this to the Board of Selectmen's meeting agenda as a consent item at a meeting after 5/16 and before the end of May. Let me know when – date and time. You can use the attached electronic submission to begin creating a meeting file for this in docushare. Selected departmental comments will be forthcoming.

Thank you all -

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

From: Mathias Rosenfeld [<mailto:mathias@newhabitatpartners.com>]
Sent: Monday, May 06, 2013 12:25 PM

To: Roland Bartl

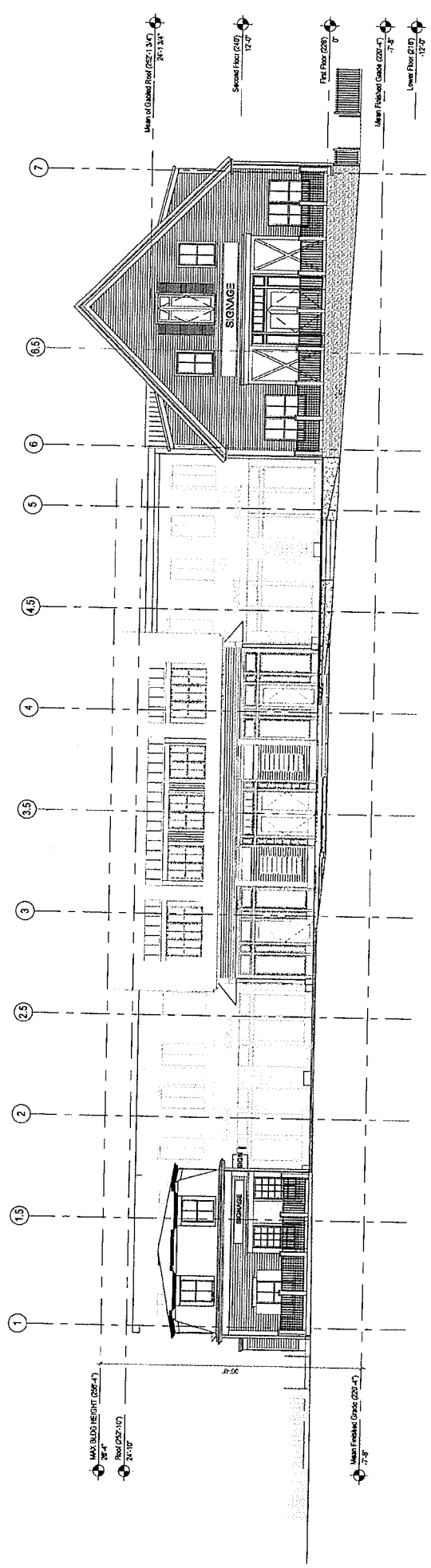
Subject: Electronic Copies for WAVE BoS Submission

Hi Roland:

Here is the electronic copy of the submission as requested. The first document contains the floor plans and tables. The second document has George's civil plans. My understanding is that he has reviewed them with Doug and Corey. Let me know if you need anything else.

Thanks,

Mathias



BUNNELL HEART

Lili Early

From: Mathias Rosenfeld [mathias@newhabitatpartners.com]
Sent: Wednesday, May 15, 2013 12:23 PM
To: Roland Bartl
Subject: Fwd: WAVE
Attachments: 3320A Rev SP Eng.pdf; ATT00001.htm

Roland - Here is the email Corey sent to George and cc'd me in April.

--

Mathias Rosenfeld
New Habitat Partners LLC
537 Massachusetts Avenue #202
West Acton, MA 01720
617.765.4493

mathias@newhabitatpartners.com
www.newhabitatpartners.com
wave.newhabitatpartners.com
www.facebook.com/NewHabitatPartnersLLC

Begin forwarded message:

From: Corey York <cyork@acton-ma.gov>
Subject: RE: WAVE
Date: April 19, 2013 3:29:18 PM EDT
To: 'George Dimakarakos' <gd@stamskiandmcnary.com>
Cc: "Mathias Rosenfeld (mathias@newhabitatpartners.com)" <mathias@newhabitatpartners.com>, "Jramirez@omr-architects.com" <jramirez@omr-architects.com>, Bonnie Peters <bpeters@omr-architects.com>

Based on your attached memo dated April 19th, I would concur that the noted changes appear only minor in nature. I assume this memo is referring to the plans dated July 31, 2009 with the latest revision date of March 14, 2013.

Thank you,
Corey

From: George Dimakarakos [<mailto:gd@stamskiandmcnary.com>]
Sent: Friday, April 19, 2013 3:12 PM
To: Corey York
Cc: Mathias Rosenfeld (mathias@newhabitatpartners.com); jramirez@omr-architects.com; Bonnie Peters
Subject: WAVE

Corey,

Please see attached letter.

George Dimakarakos, P.E.
Vice President
Stamski and McNary, Inc.
1000 Main Street
Acton, MA 01720
ph: 978-263-8585 ext: 212
fax: 978-263-9883
email: gd@stamskiandmcnary.com

STAMSKI AND MCNARY, INC.

1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585
FAX (978) 263-9883

JOSEPH MARCH, P.E., P.L.S.
GEORGE DIMAKARAKOS, P.E.

April 19, 2013

Corey York, P.L.S., Town Engineer
Acton Engineering Department
472 Main Street
Acton, MA 01720

Re: WAVE Project
Site Plan Revisions
525-537 Mass Ave

Dear Mr. York,


The Site Plan for the referenced site has been updated based upon several changes to the proposal by the Applicant. The changes are minor from an engineering perspective, as follows:

1. There have been minor changes to the building footprint and walkways on site.
2. The proposed crosswalk at Massachusetts Avenue has been shift to the east to be centered with the new building entrance.
3. The handicap parking space has been proposed in the area of the existing parking pad in the park across Mass. Ave. As a result of 2. And 3., the proposed parking spaces on the street have been adjusted accordingly.
4. DMH-2 and DMH-4 have been moved to accommodate the new building footprint. Also, two area drains have been added to the front of the building to accommodate the new plaza layout.
5. The handicap parking beneath the building has been shifted to the new elevator location.
6. Utilities have been adjusted for the new building footprint.

We feel that these changes are minor and do not warrant extensive review. We have confirmed that there is a negligible increase in impervious coverage of less than 700 square feet and that the Stormwater Management System is adequately sized to mitigate runoff with no increases.

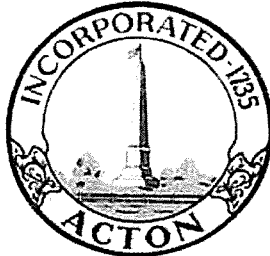
If you have any questions regarding this matter, please feel free to contact us.

Respectfully,
Stamski and McNary, Inc.


George Dimakarakos, P.E.

RECEIVED
MAR 24 2010
TOWN CLERK, ACTON *[Signature]*

West Acton Village Ecology (WAVE)
Use Special Permits, Site Plan Special Permit & Site Plan Special Permit Amendment (Knibbe)
525-545 Massachusetts Avenue & 3-7 Spruce Street
March 22, 2010



Board of Selectmen

TOWN OF ACTON
472 Main Street
Acton, Massachusetts 01720
Telephone (978) 264-9612
Fax (978) 264-9630
bos@acton-ma.gov
www.acton-ma.gov

DECISION

#01/19/10-426 – Use Special Permits
#01/19/10-427 – Site Plan Special Permit
#02/01/89-307 – Site Plan Special Permit Amendment

West Acton Village Ecology (WAVE)

Use Special Permits and Site Plan Special Permit
including Amendment of prior Site Plan Special Permit
March 22, 2010

GRANTED with Conditions

Decision of the Acton Board of Selectmen (hereinafter the Board) on the application of 531 Mass Ave LLC (Rosenfeld) of 543 Massachusetts Avenue, Acton, MA (hereinafter the Applicant), dated January 15, 2010 and received on January 19, 2010, for:

- (1) Five Use Special Permits pursuant to Section 3 of the Acton Zoning Bylaw (hereinafter the Bylaw) for properties located at 525-541 Massachusetts Avenue in Acton, MA owned by the Applicant and by 525 Mass Ave LLC, 537 Mass Ave LLC, and 541 Mass Ave LLC; shown on the 2007 Acton Town Atlas map F-2A as parcels 103, 104, 105, 113, and 114.
- (2) A Site Plan Special Permit pursuant to Section 10.4 of the Bylaw and the Site Plan Special Permit Rules and Regulations (hereinafter the Rules) for properties located at 525-541

Decision	#01/19/10-426 – Use Special Permits
WAVE	#01/19/10-427 – Site Plan Special Permit
March 22, 2010	#02/01/89-307 – Site Plan Special Permit Amendment

Page 1 of 13

Massachusetts Avenue in Acton, MA owned by the Applicant and by 525 Mass Ave LLC, 537 Mass Ave LLC, and 541 Mass Ave LLC; shown on the 2007 Acton Town Atlas map F-2A as parcels 103, 104, 105, 113, and 114.

- (3) A Site Plan Special Permit Amendment pursuant to the Rules for properties located at 3-7 Spruce Street in Acton, Massachusetts, owned by Bitterroot Group LLC, 543-545 Mass Ave Limited Partnership, Presti Family Limited Partnership, and 541 Mass Ave LLC; shown on the 2007 Acton Town Atlas map F-2A as parcels 94, 97, 112, and 113.

The properties listed in (1) through (3) above are referred to hereinafter as the Site.

The Board held a duly noticed public hearing on March 8, 2010. Board members Paulina Knibbe (Chair), Peter Berry (Vice Chair), Terra Friedrichs, Mike Gowing, and Lauren Rosenzweig (Clerk) were present throughout the hearing. The minutes of the hearing and submissions upon which this Decision is based may be found in the Town Clerk's office or the Board's office at the Acton Town Hall.

1 EXHIBITS

Submitted for the Board's deliberation were the following exhibits:

- 1.1 A plan entitled "Site Plan for West Acton Village Ecology, 525-541 Massachusetts Avenue, 3-7 Spruce Street, Acton, Massachusetts", dated July 31, 2009 and last revised on February 17, 2010, drawn by Stamski and McNary, Inc. of 80 Harris Street, Acton, MA, consisting of 8 sheets.
- 1.2 A plan entitled "Site Plan, WAVE, Acton, Massachusetts, Landscape Plan", dated October 28, 2009, drawn by Kim Ahearn Landscape Architects of 40 Foster Street, Littleton, MA, consisting of 2 sheets.
- 1.3 A plan entitled "Site Plan, WAVE, Acton, Massachusetts, Phasing Plan", dated June 31, 2009, last revised on February 2, 2010, drawn by Stamski and McNary, consisting of 2 sheets.
- 1.4 A plan entitled "West Acton Village Ecology (WAVE)", dated February 26, 2010, drawn by The Office of Michael Rosenfeld, Inc., Architects of 543 Massachusetts Avenue, Acton, MA, consisting of 24 sheets.
- 1.5 A plan entitled "Building Height", dated February 16, 2010, drawn by The Office of Michael Rosenfeld, Inc., Architects.
- 1.6 An application book "For West Acton Village Ecology, Acton, MA" dated January 15, 2010 with the following items and documentation as required by the Rules or additionally provided:
 - Table of Contents
 - A cover letter from The Office of Michael Rosenfeld (OMR), dated 12/21/09.
 - Application submission notices to the Board of Selectmen and the Town Clerk, dated 01/15/10.
 - Project Overview (by OMR Architects) with use, zoning, and parking summaries.
 - A properly executed Application for a Site Plan Special Permit for 525-541 Massachusetts Ave., dated 06/24/09.

- A properly executed Application for a Use Special Permits for 525-541 Massachusetts Ave., dated 06/24/09.
- A properly executed Application for a Site Plan Special Permit Amendment for 541-545 Massachusetts Ave. and 3-7 Spruce Street, dated 06/24/09.
- Filing fee.
- Certified abutters list.
- A use description & project summary.
- A list of other permits and variances.
- Record plans and deeds.

1.7 Other information submitted by the Applicant:

- A letter from The Office of Michael Rosenfeld, Inc., Architects, regarding project phasing, dated 02/08/10.
- A Traffic Impact Study prepared by AECOM Technical Services, Inc. of 300 Baker Avenue, Concord, MA, dated August 2009.
- An Addendum to Traffic Impact Study prepared by AECOM, dated October 2009.
- A book entitled "Supplemental Engineering Data" prepared by Stamski and McNary, Inc., dated 08/26/09 containing drainage calculations, earth removal calculations, water balance calculations and a draft stormwater pollution prevention plan.
- An "Addendum to Drainage Calculations" prepared by Stamski and McNary, Inc., dated 02/26/10 containing supplemental narrative, revised pre- and post-development hydrology, rain garden sizing calculations, and revised drainage maps.

1.8 Interdepartmental communication received from:

- Acton Planning Department, dated 03/01/10.
- Acton Engineering Department, dated 03/05/10.
- Acton Design Review Board, dated 02/03/10 and 03/03/10.
- Acton Historic District Commission, dated 03/03/10 with attached Certificates #0906/A, #0906/B, #0906/B-Part II, and #0906/C, dated 06/26/09.
- Acton Sidewalk Committee, dated 02/28/10.
- Acton Fire Chief, Robert Craig, dated 02/26/10 and 03/05/10.
- Acton Transportation Advisory Committee (TAC; Franny Osman, Bengt Mutén), dated 02/16/10.
- Acton Tree Warden (Dean Charter), dated 02/11/10 and 03/08/10.
- Acton Water District, dated 02/10/10.
- Acton Health Department (Justin Snair), dated 01/25/10.

1.9 Correspondence received from Acton residents:

- Ron Beck, 02/13/10.
- Ron Beck, Pamela Cochran, Rosalie De Quattro, Bob Ingram, Celia Kent, Clare Siska, and Ann Sussman, 02/28/10.
- Franny Osman, 03/05/10.
- Joseph Pitta, Lucille Barker, Page Pitta, 03/05/10.
- Jennifer Taylor, 03/05/10.
- Lynn Parker, 03/05/10.
- Ann Corcoran, 03/06/10.
- Ann Chang, 03/07/10.

Decision
WAVE
March 22, 2010

#01/19/10-426 – Use Special Permits
#01/19/10-427 – Site Plan Special Permit
#02/01/89-307 – Site Plan Special Permit Amendment

Page 3 of 13

- Anne Forbes, 03/08/10.
- Ronald Rose, 03/08/10.
- Kathryn Acerbo-Bachmann, 03/08/10.

Exhibits 1.1 through 1.7 are referred to herein as the Plan.

2 FINDINGS AND CONCLUSIONS

Based upon its review of the exhibits and the record of the proceedings the Board finds and concludes that:

- 2.1 The Site is located within the West Acton Village (WAV) zoning district and Groundwater Protection District Zone 3. The northeasterly portion is in the Flood Plain District associated with Fort Pond Brook. No construction or other improvements are proposed in the flood plain except the removal of a shed.
- 2.2 The Site has wetlands on it that more or less coincide with the area in the Flood Plain District. The easterly portion of the site is in the 200-foot riverfront area of Fort Pond Brook. In 2003, the Acton Conservation Commission issued an Order of Conditions for the proposed development and extended it in 2006. Site work under the Order of Conditions has commenced.
- 2.3 The Plan shows erosion and sedimentation control measures, properly designed and sized stormwater management and mitigation facilities including but not limited to a stormceptor, rain garden, porous pavement, bioretention area, infiltration basin, and subsurface infiltration chamber, and a drainage system operation and maintenance plan.
- 2.4 The Site is located in the West Acton Local Historic District. The Historic District Commission has issued Certificates of Appropriateness for the proposed development. (Certificates Nos. 0906/A, 0906/A-Conditions, 0906/B, 0906/B-Part II and 0906/C). Conditions in these Certificates require the Applicant to receive subsequent approval by the Historic District Commission for specific architectural design details of each phase of project construction prior to the issuance of a Building Permit for that phase. (Certificate #0906A-Conditions).
- 2.5 Pursuant to section 10.4.3.9 of the Bylaw, the Board finds that the design and placement of buildings, structures and other site improvements has been carefully considered to ensure the retention and enhancement of the village character and environment; the proposed buildings and structures are related harmoniously to the terrain and to the scale and architecture of existing buildings in the village, which have a functional or visual relationship to the proposed buildings or structures; the proposed buildings and structures are compatible with their surroundings with respect to: height, facade facing the street, rhythm of solid surfaces and openings, spacing of buildings or structures, roof slopes; and scale. This finding is made solely for purposes of the Zoning Bylaw and has no binding effect on the Historic District Commission ("HDC") for purposes of the HDC statute, bylaw and regulations.
- 2.6 The Board of Health has issued all required permits and variances.

- 2.7 The Site is comprised of eight recorded lots measuring +/-5.27 acres with frontage on Massachusetts Avenue and Spruce Street. The lots are shown in the Acton Town Atlas on page F-2A as parcels 94, 97, 103, 104, 105, 112, 113, and 114.
- 2.8 The Applicant proposes to merge parcels 103, 104, 105, 113, and 114 along Massachusetts Avenue into one new lot, proposed Lot A with +/-4.06 acres.
- 2.9 On Lot A the Applicant proposes to preserve, and rehabilitate and in part relocate existing houses and one barn; then integrate three of the preserved buildings with a new larger building in the rear that also connects the preserved buildings along the Massachusetts Avenue frontage. The finished project would be a multi-functional commercial building complex that accommodates a range of commercial and cultural uses including retail space, offices, studios, a restaurant, and space for conferences, recreation, and education. In addition, anchoring the complex is a proposed +/-1,500 square foot flexible performance space with a maximum seating capacity for 175 persons, with removable seating to make the theater space available for a variety of alternate uses. In addition, there would be two existing buildings to the west of the larger complex that would be renovated and modified to various degrees. The total building Net Floor Area on Lot A would be +/-33,000 square feet. Seventy vehicle parking spaces would be provided on Site through surface and underground garage parking spaces.
- 2.10 For the development / redevelopment and use on proposed Lot A the Applicant requested a Site Plan Special Permit and Use Special Permits to allow the following uses listed in the Bylaw's Table of Principal Uses as requiring such special permit:
- a) Commercial Education and Instruction (Bylaw, s. 3.4.11).
 - b) Restaurant (Bylaw, s. 3.5.5).
 - c) Conference Center (Bylaw, s. 3.5.7) not including hotel, motel or inn.
 - d) Commercial Recreation (Bylaw, s. 3.5.15).
 - e) Commercial Entertainment (Bylaw, s. 3.5.16).
- All requested special permit uses are appropriate for the Site. The commercial entertainment use with a proposed maximum seating capacity of 175 persons anchors the complex, and provides a venue for using the complex as a conference center, commercial recreation, and commercial education as alternate uses of the proposed theater space. The proposed 95-seat restaurant(s) complements these uses. Other proposed uses, such as retail and office, do not require special use permits. Together, the project and the proposed uses would greatly improve the east end of West Acton Village and promise to bring new energy and revitalization into West Acton Village.
- 2.11 The proposed project also involves improvements and changes on adjacent parcels at the corner of Massachusetts Avenue and Spruce Street where the Board had issued Site Plan Special Permit #02/01/89-307 in 1989 for parcels 94, 97, 112, and 113 as shown on page F-2A of the Town Atlas. The Applicant requested an amendment of that special permit to relocate a small barn onto parcel 94 and to make improvements for pedestrian circulation on parcel 113.
- 2.12 The applicant proposes to complete the project in phases:

- a) The first phase, as described below, would comprise the proposed work on parcels 94, 113, and 114 to the extent that it does not infringe on the Massachusetts Avenue State highway layout:
- Relocating a barn from parcel 114 to parcel 94; renovating the house on parcel 114 (537 Massachusetts Avenue), including relocating the back wing to the westerly side of the house; improving facilities for pedestrian circulation on parcel 113, and related landscaping. This phase is the smaller part of the project.
- b) The second phase would complete the remainder of the project. It is conceivable that this phase may progress in sub-phases, if commercially appropriate.
- 2.13 The application contains a traffic study which documents and concludes that the area's street and roadway conditions can accommodate the additional traffic from the proposed project with certain improvements recommended and itemized in the study report and further depicted on the Plan, including but not limited to extensive improvements in and along Massachusetts Avenue, and traffic signal timing adjustments at the Massachusetts Avenue and Central Street intersection.
- 2.14 The Plan shows as part of the project that the Applicant will make street improvements in Massachusetts Avenue over approximately the length of the project's frontage, including new and rebuilt sidewalks, on-street parking, a crosswalk to Gardner Field, and related landscaping and street scape improvements. Massachusetts Avenue is a State highway. In a meeting with the Applicant and certain Town staff, MassDOT officials indicated that MassDOT would not allow the proposed improvements in a State highway. However, the officials suggested that the Town could pursue instead a transfer of the necessary section of Massachusetts Avenue into Town jurisdiction and control. The Board views the proposed street improvements as an important element of the project, and therefore will vigorously pursue the jurisdictional transfer and seek to complete it as quickly as possible.
- 2.15 The Plan also calls for developing a traffic and parking management plan for large events in the theater/flexible performance space.
- 2.16 At this time the Applicant proposes no specific outdoor lighting installations on the Site.
- 2.17 The proposed project as approved hereunder will be one of the larger building complexes in the West Acton Village area. The project design is intended to attract more people to the village for shopping, dining, enjoyment of cultural activities, to encourage walking in the village, and it is designed to be used in conjunction with the enjoyment of Gardner Field, the Town's park and playground across Massachusetts Avenue from the project. It is therefore important to consider public access to restrooms within the project.
- 2.18 The Board has received comments from various Town departments, and comments from numerous Acton residents in writing and verbally at the hearing. Written comments are listed in Exhibits 1.8 and 1.9 above. The Board considered these comments in its deliberations, made them available to the Applicant, and incorporated them into this decision as the Board deemed appropriate.
- 2.19 The proposed special permit uses and the project and Plan as conditioned, modified, and amended herein are consistent with the Master Plan; will not be detrimental or injurious to the neighborhood in which the uses are to take place; are appropriate for the

Site; protect the neighborhood and the Town against seriously detrimental or offensive uses on the site and against adverse effects on the natural environment; provide for convenient and safe vehicular and pedestrian movement with driveway locations and openings situated conveniently and safely in relation to vehicular and pedestrian traffic circulation, including emergency vehicles, on or adjoining the Site; provide an adequate arrangement of parking and loading spaces in relation to the proposed uses of the Site; provide adequate methods of disposal of refuse or other wastes resulting from the uses permitted on the Site; are in harmony with the purpose and intent of the Bylaw; will not derogate from the intent of this Bylaw to limit the adverse effects of the use and development of land on the surface and groundwater resources of the Town of Acton; and comply with all applicable requirements of this Bylaw.

3 BOARD ACTION

Therefore, subject to and with the benefit of the following Plan modifications, conditions, and limitations, the Board voted on March 22, 2010, four in favor – one opposed, to GRANT:

- a) The requested Use Special Permits for 525 - 541 Massachusetts Avenue (Town Atlas parcels 103, 104, 105, 113, and 114 on map F-2A) to allow the following uses:
 - Commercial Education and Instruction.
 - Restaurant.
 - Conference Center.
 - Commercial Recreation.
 - Commercial Entertainment.
- b) The requested Site Plan Special Permit for 525 - 541 Massachusetts Avenue (Town Atlas parcels 103, 104, 105, 113, and 114 on map F-2A).
- c) The requested amendment to Site Plan Special Permit #02/01/89-307 for 541 – 545 Massachusetts Avenue and 3-7 Spruce Street (Town Atlas parcels 94, 97, 112, and 113 on map F-2A).

3.1 PLAN MODIFICATIONS

The Building Commissioner shall not issue a Building Permit for this project or any portion thereof, nor shall any construction activity approved hereunder begin on the Site, until and unless the Zoning Enforcement Officer confirms that the Plan is revised to include the following additional, corrected, or modified information. Except where otherwise provided, all such information shall be subject to the approval of the Zoning Enforcement Officer. Where approvals are required from persons, boards, commissions, or agencies other than the Zoning Enforcement Officer, the Applicant shall be responsible for providing evidence of such approvals to the Zoning Enforcement Officer.

- 3.1.1 Submit an outdoor lighting plan for the Site that demonstrates compliance with section 10.6 of the Zoning Bylaw and Chapter P (Local Historic District) of the Town Bylaws.
- 3.1.2 In the large building with the flexible performance space and restaurant, modify the street level floor plan so that bathroom facilities are in a location that is conveniently accessible to the general public during times that the building is open for business; label

<i>Decision</i>	<i>#01/19/10-426 – Use Special Permits</i>	<i>Page 7 of 13</i>
<i>WAVE</i>	<i>#01/19/10-427 – Site Plan Special Permit</i>	
<i>March 22, 2010</i>	<i>#02/01/89-307 – Site Plan Special Permit Amendment</i>	

these bathrooms as public restrooms; and indicate appropriate directional signage to the public restrooms in one or more suitable locations.

- 3.1.3 At the proposed crosswalk over Massachusetts Avenue show crosswalk signage in accordance with MUTCD guidelines and lighting, with details, to ensure that pedestrians in and approaching the crosswalk are visible to drivers at all times.
- 3.1.4 Submit for the Town's record the existing shared parking agreement for parcels 94, 97, 112, and 113 as shown on the Town Atlas map F-2A.
- 3.1.5 Relocate the proposed underground infiltration chamber in Massachusetts Avenue so that the system is located in the road shoulder by Gardner Field instead of under a travel lane. The final location for the underground chamber shall be determined after precisely locating in the field all existing underground utilities.
- 3.1.6 Show street addresses for the various buildings and portions of buildings as approved by the Acton Engineering, Police and Fire Departments.
- 3.1.7 Re-evaluate the landscaping elements and species selection to ensure that irrigation water needs are minimized. Modify the landscaping plan accordingly with the approval of the Tree Warden.
- 3.1.8 In the large infiltration basin at the rear of the Site, change the specification for the basin lining, including the depth to which the re-specified lining shall replace the already existing lining, to encourage vegetation growth without measurably diminishing the basins infiltration capacity; and specify appropriate ground cover and plantings in the basin. The specifics of the material mixture for the basin lining and the depth to which it shall be applied, and of the plantings shall be subject to approval by the Acton Engineering Department and Natural Resources Director.
- 3.1.9 Submit an updated List of Other Permits, Approvals, and Variances identifying (1) the certificates issued by the Acton Historic District Commission, which require subsequent approvals described herein in paragraph 2.4; and (2) the permits and variances issued by the Board of Health.
- 3.1.10 The Plan shall be modified to comply in all respects with the Bylaw. Unless directed otherwise by this decision, the Plan shall also be modified to comply with all requirements of the Rules, and to address all departmental comments received by the Board in a manner that resolves any concerns raised therein to the satisfaction of the Board.

3.2 CONDITIONS

The following conditions shall be binding on the Applicant and its successors and assigns. Failure to adhere to these conditions shall render the special permits that are granted with this decision null and void, without force and effect, and shall constitute grounds for the revocation of any or all of these special permits, and of any building or occupancy permit issued hereunder. The Town of Acton may elect to enforce compliance with these special permits using any and all powers available to it under the law.

- 3.2.1 The restaurant use as approved herein may consist of one or more restaurants on the Site and shall be limited to 95 seats overall.

Decision
WAVE
March 22, 2010

#01/19/10-426 – Use Special Permits
#01/19/10-427 – Site Plan Special Permit
#02/01/89-307 – Site Plan Special Permit Amendment

Page 8 of 13

- 3.2.2 The conference center as approved herein shall not include a hotel, motel, or inn.
- 3.2.3 The theater or flexible performance space as approved herein, including the surrounding hallway and lobby area, shall not be converted into or used for residential uses of any kind, or converted into or used for any retail store, office, services, building trade shop, vehicle repair, parking facility, or manufacturing as such terms are defined in the Bylaw without prior approval by the Board.
- 3.2.4 The improvements in and along Massachusetts Avenue as shown on the Plan shall be designed, implemented, constructed and completed by the Applicant as a required component of the project as approved herein prior to the issuance of a Certificate of Occupancy. Phase 1 of the project shown in the Plan as approved hereunder is exempt from this requirement. Said Phase 1 may therefore proceed immediately without completion of the said Massachusetts Avenue improvements shown on the Plan and described herein.
- 3.2.5 To facilitate the Massachusetts Avenue improvements, the Applicant shall assist the Town of Acton in all necessary ways to obtain the jurisdictional transfer to the Town from MassDOT of Massachusetts Avenue (Route 111) from approximately STA 47+70 to approximately STA 54+00. Such assistance shall include, but not be limited to, providing and developing required documentation, data, surveys and plans, and statistics as MassDOT may require, and attendance at any meetings with MassDOT officials as required and advisable.
- 3.2.6 Immediately following the transfer of that section of Massachusetts Avenue into the Town's jurisdiction, including acceptance by Town Meeting of said section as a Town street, the Applicant shall produce the necessary survey plan(s), and set and certify new stone road bounds, to demarcate and record the new Town layout of this section of Massachusetts Avenue.
- 3.2.7 After two years and within three years following the transfer of that section of Massachusetts Avenue into the Town's jurisdiction, including acceptance by Town Meeting as a Town street, and the completion of the project including the Massachusetts Avenue improvements as approved hereunder, the Applicant shall re-evaluate vehicle and pedestrian traffic on Massachusetts Avenue and, in accordance with MassDOT standards and requirements, shall prepare:
- a) A speed study to ascertain appropriate speed limits for the redesigned section of Massachusetts Avenue.
 - b) A traffic signal warrant analysis study to ascertain if a pedestrian crossing signal at the crosswalk between the development project and Gardner Field is necessary.
- 3.2.8 The Applicant shall then promptly proceed to install any necessary traffic and pedestrian signs, speed limit signs, speed warning signs, pavement markings, and a pedestrian signal as the reported study results and recommendations call for and as approved by the Board and, as applicable, by MassDOT, replacing or supplementing any signage and other traffic control measures otherwise approved and required hereunder. For signage, lighting, and signals that require electricity to operate, the Applicant shall, with Acton Engineering Department's approval, consider solar powered equipment.

- 3.2.9 In the event that MassDOT does not transfer the jurisdiction of this section of Massachusetts Avenue to the Town, or that Town Meeting does not accept it as a Town street, the Applicant shall assist the Town in petitioning MassDOT to allow the construction of the Massachusetts Avenue improvements within the State highway layout more or less as shown on the approved Plan. If the petition is successful, the Applicant shall design, implement, construct, and complete the Massachusetts Avenue improvements prior to the issuance of a Certificate of Occupancy for any project phase after Phase 1.
- 3.2.10 In the event that both the jurisdictional transfers of this section of Massachusetts Avenue fails and that MassDOT, following a petition, refuses to allow the Massachusetts Avenue improvements as approved hereunder to proceed in the State highway layout, the Applicant shall apply for a site plan special permit amendment for the sole and limited purpose of submitting proposals for feasible alternative traffic controls and street improvements that will provide substantially equivalent mitigation levels in the West Acton Village area as the Plan approved hereunder.
- 3.2.11 Prior to the issuance of a Building Permit for any part of the project following Phase 1 the Applicant shall demonstrate to the Building Commissioner that the lots at 525, 531, 537 and 541 Massachusetts Avenue (parcels 103, 104, 105, 113, and 114 shown on map F-2A of the Acton Town Atlas) have merged into a single lot under one ownership.
- 3.2.12 Prior to the issuance of a Certificate of Occupancy for any part of the project following Phase 1, the Applicant shall complete the signal timing adjustments at the intersection of Massachusetts Avenue and Central Street.
- 3.2.13 Prior to the issuance of a Certificate of Occupancy for any part of the project following Phase 1, the Applicant shall provide the Town with a recordable plan and document for the proposed sidewalk easement alongside Spruce Street as shown on the Plan. The easement shall be wide enough to allow for a minimum future sidewalk width of 5 feet and a rounding at the intersection with Massachusetts Avenue.
- 3.2.14 Prior to the issuance of a Certificate of Occupancy for the theater/flexible performance space the Applicant shall submit to the Acton Planning Department for review and approval a traffic and parking management plan for events in the theater/flexible performance space.
- 3.2.15 No Certificates of Occupancy shall be issued for 537 Massachusetts Avenue until all work is completed under Phase 1 as shown on the approved Plan, and no Certificate of Occupancy shall be issued for the subsequent phase without full completion of the entire Site work as shown on the approved Plan. If the subsequent phase is broken up further into sub-phases, the same rule shall apply to the sub-phases.
- 3.2.16 No changes to the existing parking agreement and no new or additional parking agreements shall be made or implemented for any lot or parcel governed under this special permit and special permit amendment without first submitting them to the Acton Zoning Enforcement Officer for approval, along with documentation and explanation of zoning compliance.
- 3.2.17 The applicant shall be responsible for the maintenance and upkeep of the sidewalk in Massachusetts Avenue along the frontage of Lot A as shown on the Plan.

- 3.2.18 The applicant shall be responsible for the maintenance and upkeep of all ornamental trees and other landscaping that is shown on Plan as located within the Massachusetts Avenue layout.
- 3.2.19 The Applicant shall be diligent in complying with the erosion and sediment control plan. The Applicant shall not cause or permit the runoff of water or erosion that results in the flooding or siltation of any street, way or drainage facility owned or maintained by the Town. If such runoff or erosion occurs, the Building Commissioner may order the immediate cessation of any excavation, construction and building activities until the conditions that caused the runoff or erosion have been corrected.
- 3.2.20 All requirements of Title V and of the Board of Health's permits, special permits, and variances must be met.
- 3.2.21 If applicable, all taxes, and penalties and back charges resulting from the non-payment of taxes shall be paid in full prior to issuance of a Building Permit.
- 3.2.22 No work on the Site governed by a building permit shall begin prior to the issuance of a Building Permit.
- 3.2.23 All work on the Site shall be conducted in accordance with the terms of this special permit and shall conform with and be limited to the improvements shown on the Plan as conditioned, modified, and approved herein.
- 3.2.24 All water service lines shall be installed in accordance with the procedures and specifications of the Acton Water Supply District including but not limited to the Applicant's submission of a water impact report and as-built plans.
- 3.2.25 All work on the Site shall be performed in compliance with the applicable law and regulations protecting wetlands and wildlife habitat in the Town of Acton.
- 3.2.26 All renovations of existing buildings and construction of new buildings as approved hereunder shall comply with Chapter P of the Bylaws of the Town of Acton (Local Historic District Bylaw).
- 3.2.27 All construction activity on the property relating to this special permit shall be limited to the following hours: Monday – Friday: 7:00am – 6:00pm; Saturday 8:00am – 5:00pm; Sundays & Holidays: No work permitted.
- 3.2.28 Every attempt shall be made to minimize adverse construction conditions, such as dust and noise, on neighboring and abutting properties.
- 3.2.29 Any changes to the Site that are not in conformance with this special permit and the Plan approved hereunder shall require the approval of the Board.
- 3.2.30 All activities on the Site shall comply with the Town of Acton Hazardous Material Control Bylaw.
- 3.2.31 The Applicant shall follow the Drainage System Operation and Maintenance Plan outlined on the Site Plan and shall follow the manufacturer's recommendations for the maintenance of the Stormceptor Unit.
- 3.2.32 The Applicant shall record this Decision at the Middlesex South District Registry of Deeds or the Land Court prior to the issuance of a Building Permit.

- 3.2.33 Upon completion of construction of each of the phases (Phase 1 and Phase 2) respectively, the Applicant shall submit to the Zoning Enforcement Officer as-built plans stamped by a land surveyor and/or engineer as required for the information shown, showing the buildings, pavement, drainage, walkways, utilities, and pavement markings in their true relationship to lot lines, and outdoor lighting and appropriate grades and elevations as they pertain to each phase of the project. The as-built plans shall be accompanied by a Professional Engineer's certification stating that they witnessed the construction of the project and that the project conforms to the approved Plan.
- 3.2.34 The existing historic structures on the Site shall be kept water tight to the satisfaction of the Building Commissioner.

3.3 LIMITATIONS

The authority granted to the Applicant under this special permit is limited as follows:

- 3.3.1 The foregoing required modifications and conditions have been stated for the purpose of emphasizing their importance, but are not intended to be all inclusive or to negate the remainder of the Bylaw and the Rules.
- 3.3.2 This special permit applies only to the Site identified in this decision and to the proposed uses and activities shown and noted in the Plan.
- 3.3.3 Other approvals or permits required by the Bylaw, other governmental boards, agencies or bodies having jurisdiction shall not be assumed or implied by this decision.
- 3.3.4 This special permit shall lapse if substantial use thereof has not commenced within two years of the filing date of this decision with the Town Clerk, except for good cause, or if construction under this special permit is not continued through to completion as continuously and expeditiously as is reasonable. The issuance of a Building Permit for Phase 1 as shown on the Plan shall be considered commencement. For construction to continue towards completion as continuously and expeditiously as is reasonable, construction activity shall not rest for more than 2 years. A request to extend said time limits must be made in writing to the Board at least 30 days prior to said expiration dates, and the Board herewith reserves its rights and powers to grant or deny such extension, to issue any appropriate changes to the special permit and to require any appropriate modifications of the Plan.
- 3.3.5 The Board hereby reserves its right and power to modify or amend the Plan and the terms and conditions of this special permit with or without a public hearing upon the request of the Applicant, his designees or assigns, or upon its own motion.

4 APPEALS

Appeals, if any, shall be made pursuant to MGL, Ch. 40A, S. 17 and shall be filed within 20 days after the filing date of this decision with the Town Clerk.

The Town of Acton Board of Selectmen



Paulina S. Knibbe, Chair

This is to certify that the 20-day appeal period on this decision has passed and there have been no appeals made to this office.

Eva Taylor Town Clerk

Date

Copies furnished:

Applicant -	Building Commissioner	Health Director
certified mail #	Engineering Administrator	Municipal Properties Director
Town Clerk	Conservation Administrator	Town Manager
Fire Chief	Police Chief	Acton Water District
Owner	Historical Commission	Assistant Assessor
Historic District Commission		

I:\planning\site plan\426, 427, 307 amend (wave) decision.doc

Decision
WAVE
March 22, 2010

#01/19/10-426 – Use Special Permits
#01/19/10-427 – Site Plan Special Permit
#02/01/89-307 – Site Plan Special Permit Amendment

Page 13 of 13

RECEIVED

April 19, 2013

APR 30 2013

Town of Acton
Planning Department

Dear Roland:

Attached are two copies of the BOS submission package that includes the site/civil plans, building plans, and the HDC's Certificate of Appropriateness for Phase II of the Mass Ave project. These drawings have been updated to reflect that 541 Mass Ave has not been merged with the adjacent lots, but is included under the site plan permit for the purposes of restaurant seating distribution.

This set of drawings also clarifies the intent of the site retaining wall surrounding the barn patio. The elevations show that it is in fact a stone site retaining wall rather than a deck structure. The parking level plan shows that the retaining wall does not provide any structural support to the building itself, and simply holds the earth necessary to keep the grade even with the plaza and allow for handicapped accessibility at the front entrance of the barn.

George has sent memos discussing the relevant issues to both the Engineering and Health Departments. Please let me know if you have any questions. We are looking forward to taking the next steps.

Thank You,

MATHIAS

Mathias Rosenfeld

Lili Early

From: Tom Tidman
Sent: Tuesday, May 14, 2013 10:44 PM
To: Roland Bartl
Subject: Re: Electronic Copies for WAVE BoS Submission

Roland,

I contacted Stamski & McNary Eng. and reviewed the proposed changes with George Dimakarakos. Proposed plan modifications will not require a new wetlands filing or an amendment to the existing Order of Conditions.

- Tom

Sent via mobile phone

On May 14, 2013, at 7:15 PM, "Roland Bartl" <rbartl@acton-ma.gov> wrote:

Engineering & Tom:

I need to get this to the TM office tomorrow. Do you have anything to add. If so, please send by tomorrow noon.

Thanks

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

From: Doug Halley
Sent: Wednesday, May 08, 2013 8:09 AM
To: Roland Bartl; Corey York
Cc: Health Department; Engineering Department; Tom Tidman; Planning Department; 'Mathias Rosenfeld'; Christine Joyce; Manager Department
Subject: RE: Electronic Copies for WAVE BoS Submission

Roland,

Both Mathias and George have met with the Health Department regarding the amendments and we were able to provide our input during those meetings. At this time the Health Department has no additional comments.

Doug

From: Roland Bartl
Sent: Tuesday, May 07, 2013 5:15 PM
To: Doug Halley; Corey York
Cc: Health Department; Engineering Department; Tom Tidman; Planning Department; 'Mathias

Rosenfeld'; Christine Joyce; Manager Department
Subject: FW: Electronic Copies for WAVE BoS Submission

Hi, Doug & Corey:

Attached is a formal request for a site plan amendment for the WAVE project in West Acton. Matthias Rosenfeld writes in his cover letter, that George Dimakarakos contacted each of you separately for discussion and input on the matter. I assume you have received George's communication. From my perspective the proposed changes are small enough to be considered without a new public hearing and can quite reasonably be placed on the Board of Selectmen's consent calendar. I would like to get this scheduled at a Board of Selectmen's meeting before the end of the month of May if at all possible. Please be so kind and provide me with any relevant comments from your office no later than **May 16**.

Tom: I do not see any changes to the project relative to wetlands impact or ConCom jurisdiction. But, you are the one to make that call, not me. Therefore, I have cc'd you on this correspondence just in case.

Christine: I am not aware of a set BoS meeting schedule, as yet. However, please add this to the Board of Selectmen's meeting agenda as a consent item at a meeting after 5/16 and before the end of May. Let me know when – date and time. You can use the attached electronic submission to begin creating a meeting file for this in docushare. Selected departmental comments will be forthcoming.

Thank you all -

Roland Bartl, AICP
Planning Director
Town of Acton
472 Main Street
Acton, MA 01720
978-929-6631

From: Mathias Rosenfeld [<mailto:mathias@newhabitatpartners.com>]
Sent: Monday, May 06, 2013 12:25 PM
To: Roland Bartl
Subject: Electronic Copies for WAVE BoS Submission

Hi Roland:

Here is the electronic copy of the submission as requested. The first document contains the floor plans and tables. The second document has George's civil plans. My understanding is that he has reviewed them with Doug and Corey. Let me know if you need anything else.

Thanks,

Mathias